# LAW LIBRARY JOURNAL

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### AMERICAN ASSOCIATION OF LAW LIBRARIES

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# LAW LIBRARY JOURNAL

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### THE PRESIDENT'S PAGE

The outgoing President should write this page. He knows the members of the American Association of Law Libraries and has had much opportunity to "feel the pulse" of the group. He has been dialing numbers all year. He knows which ones give the right answers. He knows the customs and mores of the Association. Because he has been defining, delineating and judging relative values and right emphases he has plumbed the depths and has arrived at the stage of fundamentals. He is in a position at this stage to judge the strengths and weaknesses of the Association. He sees the work as a whole and now has some concepts that would send the organization forward for the future.

But a new administrator moves on the scene. The new President starts anew pondering the same questions, large and small, about personnel, committees, program, and social events. It might be well to lay bare the facts and analyze the problems, lift the curtain and let the membership know some of the complexities of the undertaking. So far they can be expressed only as questions which are given here in some detail.

As I view the Association's work as a whole, these questions come to my mind:

How can we characterize this era as far as all libraries are concerned?

Is the American Association of Law Libraries a part of this advancing stream?

What is the trend in national library associations today?

Is the American Association of Law Libraries free?

Where is the Association headed?

Is there a continuing coordinating core of the Association which indoctrinates and advises a new president?

Is the work launched on a national level?

Are there two dimensions to the progress-up and forward?

What part does the President play, what assistance can he give and what is his relation to all the working groups? Can he actually relieve and undergird the overworked members? If so, how?

How can the President stimulate lively and prompt communication with the planning group?

When I ponder the function and the goals of committees, I am moved to ask:

What is the history of the present committee work?

What current moves should be made?

What direction should committee work take in the future?

What levers and expediters can be applied?

Who are best fitted to lead the projects?

How can the six hundred members be drawn into the work of the Association?

How can new and unusual talent be spotted and utilized?

How can chairmen be induced to make their reports reflect the thinking of the whole committee?

Should the President have more help in appointing the committees?

Should the work of some of the committees be launched on a broader base?

How can reports of committees be pared down to the crux of the business without sacrificing illuminating detail?

A consideration of the program brings up these questions:

How can the program reflect the thinking of the Association?

Where is there "something new under the sun" that will pique the interest of the members, at

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the same time be a forward step and in addition feed the Association a "meaty diet"?

What is the least common denominator of the interests of the six library groups—bar, school, court, government, state and firm?

Should the President have an advisory committee who will share the responsibility of formulating a program?

Who can show the American Association of Law Libraries new vistas and a new potential? Should there be a central theme for the meeting?

#### And in addition:

Where can a President turn for much needed help with minor time-consuming tedious jobs such as briefing, listing, copying, etc.?

How can the chapters' full potentialities be realized for the national group?

This undertaking is no small job. It should be no solo flight on the President's part. The questions are before you. This is the first opportunity to get the business into the hands of the whole membership. If possible, every one of these questions should be talked over with every member of the Association. Obviously this cannot be done. While there is no formal questionnaire indicated, no blanks to be filled in, these questions are directed at each one of the six hundred members individually. You are earnestly urged to send in your comments. If every member should respond to this Macedonian call with frank answers, a successful meeting and full attendance could be guaranteed for the July 1954 Miami meeting; for, where your personal investment is, there is your vital interest also. This is broadcast as a sincere appeal.

### R. S. V. P.!

It gives me great pleasure to announce that the Committee on Elections has reported that the following members have been elected as officers of the Association for the year 1953-54:

President-Elect	her
Treasurer Elizabeth Fin	aley
Secretary Frances Farm	mer
Executive Board Member	ner

LUCILE M. ELLIOTT

## The Copying of Literary Property in Library Collections

by Louis Charles Smith\*

The modern library today is equipped with a variety of machines that can quickly and economically make copies of works in its collections. The installation of these means of reproduction has followed the natural desire of libraries to make the most effective use possible of their collections. But, and this is the problem, to what extent may a library reproduce the manuscripts and copyrighted works in its custody, or permit copies to be made by its readers of such works without violating any rights that may exist in the materials, either under statutory copyright or the common law as it affects unpublished, uncopyrighted manuscripts?

No one questions the genuine need, upon occasion, for such reproductions. When requests are received for interlibrary loans there are many times when they cannot be conveniently filled; in some cases not at all, unless by means of a photocopy. Examples are out-of-print works, works in great demand, rare books, fragile materials and heavy items from which perhaps only a few pages are needed.

Defaced or missing pages in books must be replaced by reproduced pages from other copies. Then, there arises the situation in which it becomes necessary to make copies of a work for purposes of preservation. This is particularly true as regards newspapers that are printed upon fast-deteriorating pulp paper.

The needs of scholars and research workers, upon whom depend "the progress of science and the useful arts" deserve all possible consideration. A scholar may be in a position to gather needed material only from a particular library in a distant city at a certain time. Later he will study that material in connection with a book he is writing. However, he finds himself handicapped when the exclusive rights of authors to copy their writings intervene to prevent the making of copies by mechanical means of the materials he has selected. These are but a few of the purposes for which reproductions of materials in library collections are needed. They illustrate the obligation of librarians to make every effort conformable with law and equity to find a solution that will enable them to make reproductions in deserving cases.

On the other hand both the basis and objective of our statutory copyright is the stimulus of creation "by

<sup>\*</sup>The author has been a member of the staff of the United States Copyright Office at the Library of Congress since 1923 and for the past 12 years Senior Attorney of the Office. He is also an in-

structor of Copyright Law and Legal History at National University Law School.

The views and opinions expressed herein are those of the author and do not necessarily reflect those of the Copyright Office.

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securing for limited Times to Authors—the exclusive right to their—Writings." The report of the House Committee recommending the adoption of the last extensive revision of our copyright law in 1909, said:

The granting of such exclusive rights, under the proper terms and conditions, confers a benefit upon the public that outweighs the evils of the temporary monopoly.<sup>2</sup>

In the field of common law, an author's rights are more absolute in some respects than the statutory rights.3 Common law rights presumably may endure as long as the work is withheld from publication.4 How then does the conscientious librarian resolve the ancient conflict of the right of the author versus the right of the public as regards his collections? How is he to steer safely between the Scylla of no copying on the one hand and the Charybdis of infringement on the other? The present article will be confined to (1) a discussion of the relevant, existing law and (2) past approaches to the problem. A later article may then deal with recommendations for the future.

# COPYRIGHT AND COMMON LAW ASPECTS OF THE PROBLEM

In relation to the problems herein discussed the collections of a library may be divided into three categories. The first consists of copyrighted works, the maximum term of protection for which is 56 years in the United States, the second is made up of non-copyrighted unpublished materials, and the third includes all

items which are in the public domain. With respect to the latter category there are actually no copying problems as any number of copies may be made without infringing any literary property rights.

The first two categories, however, present genuine problems because the literary property involved is protected either by statutory copyright or common-law copyright. Those works are possessed of two property rights; one in the tangible physical property and the other in the intangible literary property. The infringement of the literary property right, by making copies of the work, can result in the copier being held liable and subject to the payment of damages.

Section 1 of the copyright law<sup>5</sup> expressly provides that:

Any person entitled thereto, upon complying with the provisions of this title, shall have the exclusive right:

(a) To print, reprint, publish, copy, and vend the copyrighted work.

Looking only at these provisions it would seem that any copying whatsoever would be infringing the copyright. One must not, however, consider every case of copying as an act
of infringement; for the courts have
recognized that a copyrighted work is
subject to fair use, in the way of
criticism and review, for example,
and that it may be commented on
and quoted without permission in so
far as may be necessary to make the
comments intelligible. It is not so
much the quantity as it is the quality
of the part taken that may be the im-

<sup>1.</sup> U.S. Constitution, Art. I, \$8.

<sup>2.</sup> H.R. Rept. No. 2222, 60th Cong., 2d Sess. Reprinted in Howell, THE COPYRIGHT LAW, 3d ed., 1952, pp. 253-277.

Howell, THE COPYRIGHT LAW, 3d ed., 1952,
 101.

<sup>4.</sup> Ferris v. Frohman, 223 U.S. 424 (1912).

<sup>5.</sup> U.S.C., Title 17, sec. 1 (a).

portant factor, including also the use to which it is put. No hard and fast line of demarcation can be laid down between fair and unfair use, for the reason that each case must depend upon its own peculiar circumstances.

Not only have courts had the occasion to pass upon cases involving the doctrine of fair use, but lawyers and others have expressed their views when the opportunity arose to write on the subject. In no instance has a crystal-clear guide been supplied which will enable librarians to know exactly how far they may go in the application of the doctrine when making reproductions for scholarly use. The reason why such guide has not been forthcoming is best expressed in the following statement by J. P. Lamb, City Librarian of Sheffield:

It is difficult, and perhaps impossible, to lay down any quantitative measure of copying from books which would be fair to those who live by writing and publishing. Moreover, any definite proportion which might have been allowed—for example, a fixed number or a percentage of the total number of words or pages in a book—would be quite arbitrary and could have no relation to the quality content of a book. On the one hand, it might deprive the student of the right to copy what he needs and, on the other, allow anyone to select essential matter as he wills.<sup>8</sup>

To further illustrate the difficulties involved in the application of the doctrine of fair use there is quoted a portion of the per curiam opinion in the case of Dellar et al. v. S. Goldwyn, Inc. et al.,<sup>7</sup> in which Judges Learned Hand, Augustus Hand and Patterson said that "... the issue of

6. City Librarian, Sheffield, England, and a member of the Committee appointed by the British Board of Trade in 1951 to consider what changes were desirable in the British Copyright Law. See December, 1952 issue of The Library Association Record (London), p. 391.

fair use; which alone is decided, is the most troublesome in the whole law of copyright . . ."

Zechariah Chafee, Jr. in his article Reflections on the Law of Copyright,<sup>8</sup> makes some very interesting observations which should be encouraging both to librarians and scholars:

The protection given the copyright-owner should not stifle independent creation by others. Nobody else should market the author's book, but we refuse to say nobody else should use it. The world goes ahead because each of us builds on the work of our predecessors. "A dwarf standing on the shoulders of a giant can see farther than the giant himself." Progress would be stifled if the author had a complete monopoly of everything in his book for fifty-six years or any other long period. Some use of its contents must be permitted in connection with the independent creation of other authors. The very policy which leads the law to encourage his creativeness also justifies it in facilitating the creativeness of others.

Partial borrowing is evidently harder to establish than total borrowing. If we are too strict about it we run into the danger of stifling independent creation.

Yet, when we turn to the case of Folsom v. Marsh, one can easily understand why it is difficult for the librarian to prepare working rules for the photocopiers including those on his staff as well as the readers who bring their own photocopying equipment with them. In that case Justice Story was of the opinion that:

It is certainly not necessary to constitute an invasion of copyright that the whole of a work should be copied, or even a large portion of it, in form or substance. If so much is taken that the value of the original is sensibly diminished, or the labors of the original author are substantially to an in-

<sup>7. 104</sup> F. 2d 661 (2d Cir., 1939), at p. 662.

<sup>8. 45</sup> Columbia Law Review 503 (1945), at pp. 511, 513.

<sup>9. 9</sup> Fed. Cas. 342 (C.C.D. Mass., 1841).

jurious extent appropriated by another, that is sufficient, in point of law, to constitute a piracy pro tanto. The entirety of the copyright is the property of the author; and it is no defense that another person has appropriated a part, and not the whole of any property. Neither does it necessarily depend upon the quantity taken, whether it is an infringement of the copyright or not. It is often affected by other considerations, the walue of the materials taken, and the importance of it to the sale of the original work.

Our copyright law does not contain a fair dealing provision as do the British and Canadian copyright laws. The British Act of 1911 10 provides:

2. (1) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright: Provided that the following acts shall not constitute an infringement of copyright:

(i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary.

The provisions in the Canadian Act of 1921<sup>11</sup> are:

17. Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright:

Provided that the following acts shall not constitute an infringement of copyright:

(i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary. . . .

Apparently those provisions do not apply to unpublished literary works. In Copinger and Skone James On the Law of Copyright<sup>12</sup> appears the statement:

Further, it has been doubted whether the

- 10. Copyright Act, 1911, 1 & 2 Geo. 5, c. 46, \$2.
- 11. Copyright Act, 1921, c. 24, s. 17 (i).
- 12. Copinger and Skone James, on the LAW OF COPYRIGHT, 8th ed., 1948, p. 138.

proviso could ever apply to unpublished literary works—any premature publication of these for any purpose could hardly be a "fair dealing". Dramatic and musical works may be performed without being published, and the publication of portions of these for the purposes of review or criticism could, no doubt, be justified.

Harold G. Fox, in his book *The Canadian Law of Copyright*, <sup>13</sup> makes the following comments:

This section will afford no defence in the case of publication of an unpublished work for such cannot fall within the term "fair dealing." It would be manifestly unfair that an unpublished literary work should, without the consent of the author, be the subject of popular criticism, review or newspaper summary.

Fox also has some very interesting comments to make regarding published textbooks; in so doing he takes the occasion to compare the fair dealing provisions of the Canadian Law with the application of the doctrine of fair use in the United States:

In the case of text-books, extracts may be taken so long as they do not exceed what is necessary for the purpose of fair criticism or review. How far text-book writers may go in using preceding works and compilations has so far not been satisfactorily settled under our own law. In the United States the use which can be made of such works is very liberal as may be seen from the following remarks of Putnam, J., in Sampson & Murdock Co. v. Seaver-Radford Co.:14

"So, also, it is clear that, under some circumstances and for certain purposes, a subsequent publisher may draw from the earlier publication its identical words, and make use of them. This is peculiarly so with reference to works in regard to the arts and sciences, using these words in the broadest sense, because, with reference to them, any publication is given out as a development in the way of progress, and, to a certain extent, by common consent, including the implied consent of the first publisher, others interested

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<sup>13.</sup> Fox, the canadian law of copyright, 1944, p. 432.

<sup>14. 140</sup> Fed. 539 (1st Cir., 1905), at p. 541.

in advancing the same art or science may commence where the prior author stopped. This includes medical and legal publications, in which the entire community has an interest, and which the authors are supposed to give forth, not only for their own pecuniary profit, but for the advancement of science."

It is submitted that so long as the amount which is taken from a previous work is reasonable and the use to which it is put is for purposes of criticism, using that word in its broadest sense as meaning a critical use of the material for the promotion of the art or science to which it pertains, there will be no infringement. If, however, use made of it is merely for the purpose of furthering the sale of a work and not for purposes of criticism, there will be infringement.<sup>15</sup>

It has been generally understood that the doctrine of fair use also does not apply to unpublished literary works in the United States. Weil, in his American Copyright Law,16 during the course of his treatment of the true measure of an author's commonlaw rights states that: "He has, probably, the right to prevent even a 'fair use' of the work by others, against his consent. Hence he has the right to prevent others from making copies of his unpublished work, or any portions thereof . . ." The cases he cites in support of his conclusions are neither directly in point with the problems of a librarian herein discussed nor are they sufficiently persuasive to rule out entirely the possibility that some day our courts will find the existence of some form of fair use in an unpublished literary work for research purposes only. Throughout the cases dealing with fair use one cannot help but feel that the thoughts of the court are upon the use of the work for purposes of publication, performance, exhibition and the like, without giving any consideration to situations which arise solely because the material is needed for private scholarly research and no other use. We know of no reported case in which the courts have passed upon the right of a reader to make a single complete copy in longhand, by typewriter, or other device of any item in the collections of a library not covered by specific contractual or donor restrictions.

There are, no doubt, many who will not be of the same opinion particularly if they have read the old English case of Jeffreys v. Boosey 17 in which there is summarized the absolute nature of an author's right in his unpublished works:

The nature of the right of an author in his works is analogous to the rights of ownership in other personal property, and is far more extensive than the control of copying after publication in print, which is the limited meaning of copyright in its common acceptation, and which is the right of an author, to which the statute of Anne relates. Thus, if after composition the author chooses to keep his writings private, he has the remedies for wrongful abstraction of copies analogous to those of an owner of personality in the like case. He may prevent publication; he may require back the copies wrongfully made; he may sue for damages if any are sustained; also, if the wrongful copies were published abroad, and the books were imported for sale without knowledge of the wrong, still the author's right to his composition would be recognized against the importer, and such sale would be stopped. . . Again, if an author chooses to impart his manuscript to others without general pub-lication, he has all the rights for disposing of it incidental to personality. He may make an assignment either absolute or qualified in any degree. He may lend, or let, or give, or sell any copy of his composition, with or without liberty to transcribe, and if with

<sup>15.</sup> Fox, supra, pp. 429-430.

<sup>16.</sup> Weil, AMERICAN COPYRIGHT LAW, 1917, p. 115.

<sup>17. 4</sup> H.L.C. 814 (1854), at p. 867, 10 Eng. Rep. 681, at p. 702.

liberty of transcribing, he may fix the number of transcripts which he permits. If he prints for private circulation only, he still has the same rights, and all these rights he may pass to his assignee. About the rights of the author, before publication, at common law, all are agreed. . . .

However, there is dictum in the early American case of *Keene* v. *Kimball*<sup>18</sup> which recognizes that scholars do have certain rights in an unpublished work but they may not copy it "for the purpose of subsequent publication in print or by oral delivery":

. . . we do not intend in this decision to intimate that there is any right to report, phonographically or otherwise, a lecture or other written discourse, which its author delivers before a public audience, and which he desires again to use in like manner for his own profit, and to publish it without his consent, or to make any use of a copy thus obtained. The student who attends a medical lecture may have a perfect right to remember as much as he can, and afterward to use the information thus acquired in his own medical practice, or to communicate it to students or classes of his own, without involving the right to commit the lecture to writing, for the purpose of subsequent publication in print, or by oral delivery. So any one of the audience at a concert or opera may play a tune which his ear has enabled him to catch, or sing a song which he may carry away in his memory, for his own entertainment or that of others, for compensation or gratuitously, while he would have no right to copy or publish the musical composition.

There is, of course, no problem for the librarian if his institution owns both the tangible physical property in the manuscript as well as the intangible literary property; but unfortunately such is not always the case. If the library does not own the literary property rights it may prove very difficult to locate the owner should his permission to copy be

18. 82 Mass. 545 (S.J.C. Mass., 1860), at pp. 551-552.

sought. In fact, it may be impossible to find him. In such cases the only alternatives are to make the copy and take the calculated risk or to leave it alone.

### PAST APPROACHES TO THE PROBLEM

The so-called "Gentlemen's Agreement" entered into between the Joint Committee on Materials for Research of the American Council of Learned Societies and the Social Science Research Council and the National Association of Book Publishers (May, 1935).

The full text of this agreement was published in the March, 1939 issue of The Journal of Documentary Reproduction, beginning at page 31 and the principal portion of it later reappeared on page 10 of the February, 1953 issue of the Law Library Journal. In substance the agreement provides that libraries or similar institutions may make single copies of a part of a book or periodical volume for a scholar who represents in writing that the copy is in lieu of a loan or in place of a manual transcription and is solely for purposes of research. The agreement not only exempted from liability the library reproducing the copy but also its officers, agents and employees. No profit could be made by the institution in connection with the furnishing of the copy. The person receiving the copy is warned of his liability to the copyright owner should he misuse the copy, such as by the publication of its contents. In view of the fact that the agreement contains certain qualifications for protection of authors and publishers the complete agreement should be read.

However, it is important to note that the agreement recognizes the exclusive right of the copyright owner to make copies of his work notwithstanding the doctrine of fair use for published works which permits persons other than the copyright owner to make a limited use of the work.

No working definition of fair use is contained in the agreement. However, the portions quoted below are of interest:

While the right of quotation without permission is not provided in law, the courts have recognized the right to a "fair use" of book quotations, the length of a "fair" quotation being dependent upon the type of work quoted from and the "fairness" to the author's interest. Extensive quotation is obviously inimical to the author's interest.

The statutes make no specific provision for the right of a research worker to make copies by hand or by typescript for his research notes, but a student has always been free to "copy" by hand; and mechanical reproductions from copyright material are presumably intended to take the place of hand transcriptions, and to be governed by the same principles governing hand transcription.

The Gentlemen's Agreement was not subscribed to by all publishers, and the administration of a copying service, based upon the agreement would therefore be difficult.

There also appeared in the March, 1939 issue of the Journal of Documentary Reproduction beginning at page 35 a letter to the Editor dated January 10, 1939, from Robert C.

Binkley, Chairman, Joint Committee on Materials for Research. This was shortly after the Gentlemen's Agreement had been reaffirmed by the Book Publishers Bureau, successor to the National Association of Book Publishers. A portion of the letter reads:

The agreement was not made as a contract conferring rights and imposing obligations on the parties, but was rather a statement of the practical scope of the established doctrine of fair use as applied to the making of photostat or other copies by libraries for scholars. The practice is old, has been recognized as reasonable and has never led to any litigation. The Courts have, in other cases, long recognized that copyrights are subject to fair use.

The statement of policy with regard to the reproduction of library materials prepared by Keyes D. Metcalf, Executive Secretary of the Association of Research Libraries, at the request of the Association and adopted by the Council of the American Library Association at its midwinter meeting in December, 1940.19

The Gentlemen's Agreement was limited "to books and periodical volumes." Mr. Metcalf, however, covered all three of the categories of works which libraries are called upon to reproduce, that is to say, (1) noncopyright material, (2) copyright material, (3) manuscripts.

The policy relating to manuscripts was that "reproduction may probably be made to assist genuine scholarly

<sup>\*</sup>Editor's Note. It should be noted, however, that apparently most publishers of law books are not and have never been members of the National Association of Book Publishers, the Book Publishers Bureau and its successor organization, the American Book Publishers Council.

In recent letters to the Editor, the following firms have declared to be members of the American Book Publishers Council: Bobbs-Merrill Company, Inc., and Little, Brown and Company.

The following law book publishers have stated

that they are not members of the National Book Publishers Council: Baker, Voorhis & Company; Bancroft-Whitney Company; Dennis & Company, Inc.; Lawyers Co-operative Publishing Company; Michie Company.

The West Publishing Company stated in its letter of May 4, 1953 to the Editor: ". . . we examine requests for the use of copyrighted materials direct and make necessary arrangements for using our copyrighted material."

<sup>19. 35</sup> A.L.A. BULLETIN 84 (1941), 85, 119.

research if no publication is involved." Care was to be exercised to observe all restrictions stipulated by the donor. Publication was to be permitted only when it was clearly shown that it was authorized.

In the case of copyrighted publications which were out-of-print, mention was made of the application of the "practical and customary meaning of 'fair use'" as provided for in the Gentlemen's Agreement as well as the particular conditions in that agreement. Special care was to be practiced "in the case of illustrations or articles that are covered by a special copyright." In regard to copyrighted material which was in print the statement read:

Legally there is no distinction between in print and out-of-print copyright material. Reproduction of in print material, however, is more likely to bring financial harm to the owner of the copyright, and it is recommended that libraries be even more careful than in the case of out-of-print material.

It was recognized that there were no legal restrictions on the reproduction of materials which were in the public domain but in the case of such works which were still in print it was recommended, for ethical reasons, "that before reproducing uncopyrighted material less than 20 years old, either for sale or for use within the library, libraries should ascertain whether or not the publication is still in print and, if it is in print, should refrain from reproducing whole numbers or volumes or series of volumes." This recommendation did not apply to the reproduction of individual articles or extracts which were to be reproduced without profit.

The Fair Copying Declaration, issued

by the Royal Society (Great Britain) June, 1950.

This declaration was subscribed to by more than a hundred publishers throughout the British Empire. It only applied to "reproductions of excerpts from scientific and technical periodical publications". "Books and non-periodic or non-serial publications" were specifically excluded. The principle portion of the declaration reads as follows:

We will regard it as fair dealing for the purpose of private study or research when a non-profit making organization, such as a library, archives office, museum or information service, owning or handling scientific or technical periodicals published by us makes and delivers a single reproduction of a part of an issue thereof to a person or his agent representing in writing that he desires such reproduction in lieu of a loan or manual transcription and that he requires it solely for the purpose of private study, research, criticism, or review, and that he undertakes not to sell or reproduce for publication the copy supplied, provided:

- The recipient of the copy is given notice that he is liable for infringement of copyright by misuse of the copy, and that it is illegal to use the copy for any further reproduction.
- (2) The organization making and furnishing the copy does so without profit to itself.
- (3) Proper acknowledgment is given to the publication from which the copy is made.
- (4) Not more than one copy of any one excerpt shall be furnished to any one person.

The recommendations as to "Fair Dealing" contained in the Report of the Copyright Committee issued by the British Board of Trade in October, 1952.20

These recommendations result from the work of a committee appointed by the President of the British Board of Trade on April 9, 1951:

To consider and report whether any, and if so what, changes are desirable in the [British]

20. London, H.M. Stationery Office, 1952.

law relating to copyright in literary, dramatic, musical and artistic works with particular regard to technical developments, and to the revised International Convention for the Protection of Literary and Artistic Works signed at Brussels in June, 1948, and to consider and report on related matters.

Part III of the report of the Committee is entitled Fair Dealing. It would provide that the copying of a "substantial part" of a book be permitted only if the copyright owner, if known (or, if not known, the publisher) cannot be located. A library would be able to make a complete copy for another library under those circumstances if "there is a real need for the copy."

In the case of periodicals, the committee recommended that statutory rules be provided which would extend the "Fair Copying Declaration" of the Royal Society to fields other than science. In other words, the rules should make available for copying any periodical literature providing the following conditions were met:

(l) that the copying is done only by nonprofit-making bodies;

(2) That the responsible librarian is satisfied that copies are genuinely required for the purposes of research or private study;

(3) that not more than one copy of any one excerpt is supplied to any one person;

(4) that the copy supplied does not constitute substantially the whole issue, but is restricted to not more than one article;

(5) that the excerpts are not supplied at less than cost price (including an appropriate allowance for overhead expenses);

(6) that an undertaking in a form to be prescribed is furnished by the applicant that the extract made will not be used for other than its declared purpose.

All restrictions stipulated by the donor of manuscripts must be observed. Reproductions would be made

21. 13 COLLEGE AND RESEARCH LIBRARIES 350 (1952).

for private purposes only and the manuscript must be 100 years old or its age beyond 50 years from the death of the writer, whichever is the later. Permission of the owner of the literary property rights would have to be obtained before a manuscript could be published.

In each of the aforenamed guides for reproduction of library materials there is considerable emphasis placed on *fair use*. None, however, supplies a concise, clear, working definition of fair use. It is easy to discover the reason why. It is because there is no yardstick approved by a Bureau of Legal Standards, if such could possibly exist, whereby it is possible to measure accurately what is and what is not fair use in any particular case.

In the General Interlibrary Loan Code 1952<sup>21</sup> there appear under part IX, Photographic Substitution, the following two paragraphs, which bear a footnote that they are based on the "Gentlemen's Agreement of 1935":

3. Photographic duplication in lieu of interlibrary loan may be complicated by interpretations of copyright restrictions, particularly in regard to photographing whole issues of periodicals or books with current copyrights, or in making multiple copies of a publication.

4. Any request, therefore, that indicates acceptability of a photographic substitution, under the conditions described above, should be accompanied by a statement with the signature of the applicant attesting to his responsibility for observing copyright provisions in his use of the photographic copy.

In a recent article by Margaret D. Uridge entitled *The General Interlibrary Loan Code 1952: An Explanation*,<sup>22</sup> reference is made to the "Photographic Substitution" section of the

22. 46 LAW LIBRARY JOURNAL 10 (1953).

code and the footnote which referred to the Gentlemen's Agreement. The author states that:

The question of photocopying of copyrighted materials was raised by the Executive Board of the American Association of Law Libraries when they voted acceptance of the General Interlibrary Loan Code 1952 at their July 1952 meeting in Toronto. President George A. Johnston wrote the ACRL Committee Chairman: "Our decision, therefore, was that we would approve of the code in principle, subject to any clarification which can be made of the copyright provisions."

Libraries themselves have widely different policies for providing photocopies of works, or excerpts of works in their collections to scholars. The Library of Congress, of which the Copyright Office is a department, attaches the following conditions, among others, to photocopying done by it:

 The Library will make photoduplicates of materials in its collections available for research use. It performs such service solely for research and in lieu of loan of the material in question or in place of manual transcription.

All responsibility in the use made of the photoduplicates is assumed by applicant.

 Copyright material will ordinarily not be copied without the signed authorization of the copyright owner. Exceptions to this rule may be made in particular cases.

The availability of copyright deposits in the Copyright Office for copying is a separate subject for which

23. 37 C.F.R. sec. 201.2 (d).

the Copyright Office has its own special regulations<sup>23</sup> and procedures.

In an additional effort, because of its unique position, to perform service for research to members of Congress, Government agencies, scholars, students, and research workers, the Library of Congress has sought mass permissions from periodical publishers to supply, under expressly limited conditions, single copies of material appearing in periodicals. This effort has also included certain areas in the book publishing field. Other libraries, in some cases, when agreeing to make photocopies, attempt to place full responsibility upon the applicant.

A different approach to the problem has been taken by some technical libraries whose collections, because of their very nature, may carry an implied authorization to copy substantial portions for scholarly use, notwithstanding the individual work may be under statutory copyright. In such cases the theory is advanced that libraries may make single copies of extracts, or even of whole works, as the agents of scholars without incurring liability. Whether or not such a theory is valid is a question the courts have not been called upon to decide in a case involving a library.\*

his studies on this subject in an article to be published in one of the next issues of the Law Library Journal.

<sup>\*</sup> Editor's Note. The author expects to continue

## The Place of the Law Library: Some Theories, Some Facts and Some Reflections

by Bernita J. Davies, Librarian
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Sometime ago I chanced to overhear the conversation of two Library School students reviewing for examinations. "But you must remember," argued one, "that the library has passed from the era of service into the era of teaching; its philosophy has changed." I did not stop then to ponder the exactness of the remark; but it has stayed with me and now and then I have found myself questioning whether, if correct, the statement with all of its connotations could truthfully be said to apply to the law library which it is my duty to administer. Does a library have a teaching function? Have law school libraries kept pace with that alleged concept? Under what set of facts could the library be labeled a part of the teaching process of the law school? What is its place in legal education?

To answer those questions calls first for an inquiry into the meaning of the term teaching function as it is used with reference to libraries. Few would argue that the librarian teaches in the sense in which the term is generally used. Except for education in librarianship and in the use of the library, the librarian as such does not

instruct as the class room teacher instructs. Obviously that is not his province. However, methods and means of instruction have changed, emphasis now, in many cases, being placed on a tutorial system of education. Might not the added responsibility given to the individual student through seminar courses, special problems in research, theses and honor courses-resulting, as it does to some extent, in directing the focus of training away from the class room and forcing the book collection to assume more importance as an instructional tool-be said to justify a broader definition of teaching: one expansive enough to permit the inclusion of the library in its bounds?1 Although some still refuse to acknowledge a place for the library even in the more comprehensive definition,2 many others maintain that, properly administered, the library holds a highly significant position as a teaching agency. Mr. Guy R. Lyle describes the latter view thus:

The keynote of modern concept of college librarianship is full cooperation with instructional staff of the college in a common intellectual enterprise.<sup>3</sup>

<sup>1.</sup> Cf. Branscomb, H., TEACHING WITH BOOKS (Chicago, Association of American Colleges and American Library Association, 1940), p. 8-9.

<sup>2.</sup> Irvin, R., LIBRARIANSHIP (London, Grafton, 1949), p. 38-41.

<sup>3.</sup> Lyle, G. R., THE ADMINISTRATION OF THE COLLEGE LIBRARY, 2d ed. (New York, Wilson, 1949), p. 21.

Primarily, the difference between the old and new ideas of the library's function is one of emphasis or attitude; and whether one takes the view that the responsibilities of the library staff and the faculty merge4 or merely overlap5 would seem to be of no substantial consequence if the ultimate objective of the library is to adapt its functions to the needs of the curriculum. The conditions under which a college library fulfills that objective and becomes a part of the teaching program are ably summarized by Dr. Louis R. Wilson:

Books are considered as means of extending experience and as aids to thinking rather than solely as sources of information. The library is thought of as a functional unit of the school or of society rather than as a place or as a collection of books. Library materials are conceived of as materials of instruction and not merely as books or periodicals, and they include many new aids to learning . . . The function of the librarian has likewise been differently conceived. The librarian, who formerly was frequently thought of as a technician or administrator concerned primarily with library housekeeping, is more frequently considered a member of the staff responsive to the interests of the administrator, teacher, pupil, or other colleague or patron, and qualified to participate fully in the planning and accomplishment of the educational purposes of the school and of the community.6

Together with Maurice F. Tauber, Dr. Wilson uses a different and somewhat more specific approach in considering the teaching function of a university library, contrasting its administration at a teaching and research level with a housekeeping level:

By "housekeeping level" is meant the employment of administrative procedures by which a minimum of service is provided for the various groups which comprise the university. The ordinary technical routines of ordering, processing and circulating books are maintained but a minimum is done by the library staff during Freshman week to familiarize new students with the library. Little attention is paid to educational guidance, remedial reading, or instruction in library use for beginning students. Little or no organized instruction in the library use is provided for undergraduate students, and little effort is made by the library to participate in the offering of courses intended to acquaint beginning graduate students in various fields with the bibliographical aids and special source materials in their fields. Reading rooms are not organized on divisional, graduate, or other special bases; and few subject experts, who are also experts in the techniques of librarianship and bibliography, are in charge of special collections.7

"Administering the library at a teaching and research level," the authors continue, "means exactly the opposite of this." 8

Little attention has been given to the teaching function of the law library in either legal or law library literature. William R. Roalfe sums up the situation very clearly:

Upon examining the now quite considerable body of literature on the subject of legal education one is struck by the almost total absence of reference to law libraries, to their relationship to the educational problems under consideration, and to the potentialities involved in the much greater use of the law school library as an effective, and, in fact, indispensable educational device.<sup>9</sup>

He ascribes this lack of attention to three causes: (1) an assumption by some contributors that the importance of the library is self-evident

<sup>4.</sup> Branscomb, op. cit., p. 9.

<sup>5.</sup> Irvin, op. cit., p. 40.

<sup>6.</sup> Wilson, PURPOSES AND SCOPE OF THE YEAR-BOOK, 42 Yearbook of the National Society for the Study of Education, part II, p. 6 (quoted by permission of the Society).

<sup>7.</sup> Wilson and Tauber, THE UNIVERSITY LIBRARY (Chicago, University of Chicago Press, 1945), p. 383.

<sup>8.</sup> Ibid.

<sup>9.</sup> Roalfe, the relation of the Library to Legal education, 31 Law Library Journal 141 (1938).

and therefore needs no consideration. (2) an appreciation of the library's importance on the part of others who, however, believe its development and administration present no problems serious enough to warrant separate discussion and (3) a tendency by still others to regard the library as of minor importance. To these might be added a fourth cause, namely, a failure on the part of law librarians to crystalize and express their objectives. With few exceptions most of the still meager amount of writing on the library in legal education is done by members of the teaching profession.

Lacking, too, is a survey of law libraries to which one might turn for facts on present conditions. Such a study has been recommended a number of times by the American Association of Law Libraries 10 and was forcefully urged by Mr. Roalfe as a means of improving law school library service. At the same time it was recognized that because of practical considerations it might be necessary to include such a survey, extensive enough to be of general worth, in one of broader scope.11 For a time it was hoped that the Survey of the Legal Profession, which includes and, as a matter of fact, grew out of a recognized need for a survey of legal education, would provide the vehicle. Perhaps the reasons which contributed to the dearth of attention in the literature on legal education also engendered the law libraries' minor role in the Survey. Whatever the reasons, the fact remains that up to the present there has been no comprehensive survey of law school libraries and no unified study of their administration. The less specialized libraries have been more fortunate. A number of surveys and studies provide university, college and public librarians with a more or less well defined pattern of prevailing thought in their fields.

The concept of the librarian as a teacher is not new. Public, college and university libraries, studying their administration and measuring their place in the social scene have considered for some time the *pros* and *cons* of the library as a teaching agency. As early as 1876, the potentiality of the public librarian as an educator was recognized:

The influence of the librarian as an educator is rarely estimated by outside observers, and probably seldom fully realized even by himself... That educators should be able to know the direction and gauge the extent and results of this potential influence, and that librarians should not only understand their primary duties as purveyors of literary supplies to the people but also realize their high privileges and responsibilities as teachers, are matters of great import to the interest of public education.<sup>12</sup>

Although it has been said that as a class college librarians have not kept pace with public librarians,<sup>18</sup> the

<sup>10.</sup> Cf. REPORT OF COMMITTEE ON THE EXPANSION PLAN OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES, 25 Law Library Journal 176, 181 (1932); 31 Law Library Journal 216, 218 (1938).

<sup>11.</sup> Roalfe, IMPROVING THE LAW SCHOOL LIBRARY SERVICE, 32 Law Library Journal 8 (1939).

<sup>12.</sup> Warren, S. R., and S. N. Clark, eds., Introduction to U.S. Bureau of Education's PUBLIC LIBRARIES IN THE UNITED STATES OF AMERICA

<sup>(</sup>Washington, Govt. Print. Off., 1876), part I, p. XL. That the majority of public librarians consider the teaching function as a current objective may be inferred from the General Report of the Public Library Inquiry; cf. Leigh, R. D., THE PUBLIC LIBRARY IN THE UNITED STATES (New York, Columbia University Press. 1950), p. 20.

bia University Press, 1950), p. 20.

13. Carlton, W. N. C., College Libraries and College Librarians, 31 Library Journal 751 (1906).

more recent trend indicates an aim toward an adjustment in the program of the college library with its task recognized as being "to function as an integral part of the educational process for which the college exists." Lyle, too, believes that the college library "exists not merely to house and circulate library materials but to supplement and extend the teaching process with reference service, to afford faculty members library opportunities for improving instruction and to encourage students to read more and better books." 15

In general, then, the trend as evidenced by current literature would seem to favor the teaching function as a basic objective in library administration. As pointed out it shows primarily, as a shift in emphasis, a change from a "passive to a positive role in education" which there is no reason to believe would not be discernable on the part of many law libraries if comparable studies were available.

This concept of the library as an important factor in education has been recognized by the law school accrediting agencies, albeit tardily and to a limited extent. For the past several years the American Bar Association Standards have included a statement to that effect:

It is a basic principle of legal education that the library is the heart of the law school and is a most important factor in training law students and in providing faculty members with materials for research and study.<sup>16</sup>

However, the Association of Ameri-

can Law Schools while requiring a library of sorts for its member schools since 1900, and more recently "a library adequate for the curriculum and for research" administered by a "qualified librarian", has but this last year expressed in its Standards a belief that "the law library is an integral and essential part of the educational process of the law school", and specified the need for an assisting staff to be supplied with adequate work space.17 Although in some instances members have questioned the need or desirability for higher standards,18 undoubtedly the cost factor has been the prime reason for reluctance on the part of these Associations to require more adequate libraries and correspondingly better service. Funds often have not been available to administer a library geared to a "teaching and research level"; for, to do that requires a number of competent and well trained staff members in addition to a more "adequate" collection. With very few exceptions law school librarians generally have thought of themselves as integral parts of legal education, an attitude which is becoming increasingly prevalent among law school deans and faculties. This is confirmed, in a measure, by a greater willingness to include the librarian as a member of the faculty with a more or less comparable academic rank, though unfortunately the action, sometimes, has been bred from necessity due to the scarcity of qualified applicants will-

<sup>14.</sup> Branscomb, op. cit., p. 11.

<sup>15.</sup> Lyle, op. cit., preface to 2d ed., p. VII.

<sup>16.</sup> STANDARDS OF THE AMERICAN BAR ASSOCIATION FOR LEGAL EDUCATION (1940), 6, sec. IV.

<sup>17.</sup> Association of American Law Schools, PRO-GRAM AND COMMITTEE REPORTS, 1952, p. 104.

<sup>18.</sup> Cf. Boyer, B. F., TESTING THE ADEQUACY OF THE LAW LIBRARY FOR INSTRUCTION AND RESEARCH, 1 Journal of Legal Education 158 (1949).

ing to accept a position as librarian without faculty status.19 Recognition of a closer tie of the library to the teaching process is evidenced, also, by the Standard accepted by the Association of American Law Schools in 1952 which reads: "It is preferable that such librarian be a member of the law school faculty."20 While without teeth, the statement is significant as showing a direction of thought. However, it raises a question as to whether or not the non-acceptance of the 1951 committee recommendation making faculty status mandatory, was caused by the problems which might have resulted in university administration or from reluctance on the part of the schools to acknowledge the library's educational function. At present fiftysix percent of the law librarians in member schools hold academic rank, fifty-four in the law schools and two in library schools of the universities of which the law schools are a part. Of the fifty-six, thirty-seven are men and nineteen are women.21

Having received this quasi-acceptance as a part of the educational process—a place which, to repeat, has been advocated by librarians for a long while—it is a good time to revaluate the administration of our law school libraries with that concept in mind. Unfortunately, there appear to be no generally acceptable criteria—no norm by which a library can measure its activity exactly to see whether or not it is fulfilling the objective; but though there is a recognized lack of agreement in the literature as to the application of the term teaching function, one finds it common opinion that certain factors should be present before a library can adequately perform its part in education. Most of those factors are applicable to law school libraries and while to many they will appear elementary, they are worth considering—or reconsidering—for the purpose of a self-survey.

Obviously, if a law library is to be a part of the teaching process it must be administered so that its services will contribute as effectively as possible to the instructional program of the law school. To this end, a wide knowledge of the general aims of the school as well as the more specific objectives of the faculty with regard to the curriculum, is of prime importance. It is the corner stone of such administration-the sine qua non of the library's teaching function. There must be an understanding of the contents, scope, and aims of each course, together with the methods used in teaching, and an apprehension of the research and professional activities of the faculty members. Such an understanding can be gained only through close personal contacts with the faculty and a study of the curriculum, possibly through visits in the class room, attendance at faculty meetings and conferences between the members of the library and teaching staff. The type of service envisioned cannot be

Cf. Price, M. O., THE LAW SCHOOL LIBRARIAN,
 Journal of Legal Education 268 (1949); also,
 REPORT OF THE COMMITTEE ON EDUCATION AND
 PLACEMENT, 45 Law Library Journal 257, 258 (1952).

<sup>20.</sup> Association of American Law Schools, program and committee reports, 1952, p. 104.

<sup>21.</sup> In the 1952-53 Teachers' Directory of the Association of American Law Schools, 101 of the 108 member schools listed the names of their librarians. As one of those listed does not appear in the Alphabetical List of Teachers with Biographical Matter, information is available for only 100 law librarians.

accomplished by the library alone. It necessitates cooperation on the part of the administration and faculty as well; for, cooperation is of more importance when the library is viewed as a teaching agency than when, as in the past, emphasis centered on the collection, the catalog and the physical plant.

It does not signify that a change of emphasis lessens the importance of the collection, its housing and its care. To reach its goal the library must have an adequate collection, proper physical facilities, and a competent staff of sufficient size to carry out a positive program. Moreover, it must have substantial financial support. New courses in the curriculum and additional faculty members are costly to the library, not only because of a need to enlarge the scope of the collection both for teaching and research, but also because the library must add to its staff if it is to continue relatively effective service. To administer the library at a "teaching and research level" is necessarily expensive, but the "educational benefits . . . should also be porportionately greater." 22

No library can carry out its teaching function without a collection "adequate for teaching and research." Size and contents will vary, of course, with the law school it serves.<sup>28</sup> It has been said that the selection of material offers the librarian and instructor a chance for "professional immortality".<sup>24</sup> Building a collection is a joint endeavor and certainly one which

calls for cooperation between the librarian and faculty. It is here that the study of curriculum objectives and the methods of teaching used by the teaching staff becomes most useful. With those in mind and with the cooperation of the teacher, adequate current material and standard sources of study can be provided for each course when or before they are needed. As research usually plays a leading role in a law school, the library collection should also include resources for both faculty and students for that purpose. Besides the standard sources (reports, statutes, periodicals, etc.) additional research and professional needs of individual faculty members should be considered. If the book requests for this purpose are temporal and likely to be solely of individual interest, they may be borrowed or obtained as photostatic copies, on microfilms, microcards or by other means of reproduction depending on availability and cost. Satisfaction of the need should not be restrained because the material is not on hand or by reason of a limited budget with which to purchase.

The collection poses a dual problem: acquiring and discarding. Law school libraries are apt to disregard the latter. As ably put by Mr. C. A. Peairs, "a long range pruning program should be undertaken, to remove the deadwood now found on the shelves of almost every library, and to burn if no better answer can be found in a reasonable time. It may be necessary to take a deep breath

<sup>22.</sup> Wilson and Tauber, op. cit., p. 384.

<sup>23.</sup> Cf. Sullivan, R. N., AN ADEQUATE LAW SCHOOL LIBRARY, 2 Journal of Legal Education 154 (1949).

<sup>24.</sup> Wilson et al., THE LIBRARY IN COLLEGE INSTRUCTION (New York, Wilson, 1951), p. 226.

before this plunge, but it is believed (from an on shore position) that the water is fine."25 Those emersed may not share Mr. Peairs' enthusiasm, but the problem must be solved, especially in respect to the "teaching" collection. Studies in obsolescence for a number of subject groups have led to the conclusion that a large percentage of books in those particular fields have a relatively short period of usefulness and that the problem needs to be reconsidered at least every ten years.26 Since in law much of the current thought is based on the past, material will need very careful scrutiny before it is discarded. Age is not necessarily a criterion. Shelving old editions and little used material in a more restricted area, however, will bring out the active collection and make it more usable for students, who are often discouraged when faced with a great number of books. A periodic survey of the collection might be considered a companion activity to the weeding process; for, not only must the collection be measured as a whole and for the curriculum with reference to contents, but for use as well. By this means the librarian will be able to draw up a sound program for both current and future acquisition.

To administer the library with emphasis on its teaching function requires also a suitable building and acceptable working quarters. Clearly, sufficient space, comfortable chairs,

adequate table room and good lighting are fundamental needs. However, these items alone are not enough; a functional relationship in the arrangement of work areas, reading rooms and stacks is very important; and it is of even more consequence that the book collection be easily available to both students and faculty. To further this goal, libraries are placing their books in open stacks and provide separate collections in offices, faculty rooms and law review quarters. To this end, also, is the practice of shelving little-used books in a restricted area and of giving thereby added significance to the remainder. Reading rooms are planned with alcoves or cases to allow for a functional subject grouping of materials. Desks and carrels within, or close to, the stacks make research more convenient; and seminar, typing, and conference rooms encourage the group discussion necessary in legal education.

In addition to the essentials mentioned above, prerequisites for administration on a teaching level, the library is usually engaged in activities more closely related to instruction. For instance, members of the library staff may teach one or more courses in the school. Quite logically legal bibliography, legal writing, and courses dealing with research and use of the library are frequently taught by the librarian. In addition, his duties may include teaching courses in subject fields not connected with the library.<sup>27</sup> Unless his teaching ac-

<sup>25.</sup> Peairs, C. A., Jr., LEGAL BIBLIOGRAPHY: A DUAL PROBLEM, 2 Journal of Legal Education 61 (1949).

<sup>26.</sup> Gosnell, C. F., OBSOLESCENCE OF BOOKS IN COLLEGE LIBRARIES, 5 College and Research Libraries 115 (1944). Cf. Lyle, op. cit., p. 201.

<sup>27.</sup> Of those librarians holding academic rank (see note 21), 19 teach legal bibliography, 4 teach in other subject fields only and 26 teach in both; of the remainder, the division is: legal bibliography, 11; other subject fields only, 0; both, 1.

tivities are limited, a librarian may emphasize that phase of his work to the detriment of the other.28 This is particularly true if the faculty salary level is higher than that of the library. If neither phase of the librarian's work is slighted, again there is danger that the efficient accomplishment of both will require longer work hours than can justifiably be expected. On the other hand, if the staff is sufficiently large and competent to assume a proportionate share of the library burden, teaching subject courses may be advantageous as an aid in understanding the objectives of the curriculum.

Instruction in the subject contents and use of the library is furnished both by direct and indirect means.29 It can be given by a separate course or in conjunction with class room assignments. Throughout the period of training-from orientation to graduation-the library has a duty to further this instruction. If faculty members other than the librarian are in charge, cooperation by the library may be furnished through talks explaining the library's objectives, its regulations, and other information pertinent to the course being taught. For undergraduates this is often legal writing while, generally, for graduates it is a seminar in research methods. Tours of the library, illustrated lectures on its use 30 and a reasonable

amount of guidance on individual problems are within the scope of the library's function. Reference work should be broader than merely finding an answer to a question; it may well include suggestions for the use of the catalog, indexes and other reference tools. Indirectly, more effective use of the library may be promoted by handbooks containing information about hours, regulations, services and resources of the library, subject bibliographies, and exhibits built around courses of the curriculum. Whatever the means used, the fact should be kept in mind that instruction—direct or indirect—must be a continuous process. It cannot be limited to orientation week or the first or second semesters; nor can it be casual. It takes careful planning to provide maximum assistance to a large portion of the clientele.

Closely aligned with the collection as well as the use of the library is service sometimes referred to as reading guidance. While a law library will not generally have a staff member hired for that purpose as is sometimes the case in college and public libraries, time and effort used to encourage reading will not come amiss. It has been pointed out that what one reads is determined by three factors: accessibility, readability and reading interests. Since accessibility is of first importance the library can promote

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<sup>28.</sup> The Association of American Law School Standards, as amended in 1952, continue the provision for a librarian whose "principal activities" are devoted to the library. The Joint Committee on Cooperation between the A.A.L.L. and A.A.L.S. interpreted that provision to allow no more than three hours of teaching per week unless assisted by one or more full time library staff members in which case the teaching load might be increased to four

hours. Cf., (1943) association of american law schools handbook 208.

<sup>29.</sup> For an excellent article on teaching legal bibliography, see Roalfe, some observations on teaching legal bibliography and the use of Law books, 1 Journal of Legal Education 361 (1949).

<sup>30.</sup> The University of Kansas City Law School has prepared an interesting film for this purpose.

<sup>31.</sup> Wilson, op. cit., p. 263.

this phase of instruction by the use of open stacks and by providing collections in browsing rooms or a special section of the reading room, lounges and other convenient locations. Granted that a law library's clientele for the most part has little time for extra curricular reading, still there are those who do find time: and for them suitable material should be available. Such collections need not be for recreational purposes only. A part thereof might well be selected with a view to lessening the gaps in prelegal training. While in disagreement on the specific needs for a prelegal curriculum, legal educators endorse a wide knowledge of English literature, of philosophy and logic, history, economics and other social sciences as being highly desirable for the entering student. How far the majority of freshmen fall short of this ideal is common knowledge. At least, the library should facilitate and encourage reading in those fields as the law course progresses. Since social science material is often a part of the teaching collection as well, it may be selected with both needs in mind. Biographies of lawyers, judges and statesmen will promote a "feel" of the profession with a realization of its dignity; and a study of great speeches will aid in developing both an oral and written power of expression, notoriously lacking at the beginning. Books, magazines and newspapers directed toward current problems provide an awareness of the social scene sometimes lost during a three year

"ivory tower" residence. In those schools which, for one reason or another, fail to include training in skills mentioned in recent disparaging articles as being minimum requirements for a beginning lawyer,32 the library might well try to alleviate also that condition, as far as possible. Many of the "know how" skills mentioned, by nature, can be acquired only through practice; but a student may be given an introduction through books to some of these skills, such as law office management, trial technique and advocacy, practical legal ethics and benefits to be derived from participation in professional and civic organizations.

An extension of reading interests calls for a liberal book circulation policy and for publicity as well as availability. Especially, for those libraries-and, sadly enough, the number is large-in which open stacks are impractical, generous rules in favor of the borrower become a necessity. Publicity should be directed toward some of the older items in the collection as well as to current materials: it need not be limited to the usual lists, posters and exhibits. The University of Virginia's Reading Guide, including student reviews and comments, at times, on both old and new books is an example of an excellent means of stimulating interest.

The library's teaching function carries beyond formal law school training. Just as the school recognizes responsibility to the student until he has passed his bar examination and for post graduate training, so the li-

<sup>32.</sup> See among others, Cantrall, LAW SCHOOLS AND THE LAYMAN: IS LEGAL EDUCATION DOING ITS JOB?, 38 American Bar Association Journal 907 (1952)

and Roberts, PERFORMANCE COURSES IN THE STUDY OF LAW: A PROPOSAL FOR REFORM OF LEGAL EDUCATION, 36 American Bar Association Journal 17 (1950).

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brary will be called upon for an extension of service to those ends. By providing a file of bar examination questions, books which offer a general survey of courses, and permitting a liberal use of the whole collection, the library will be of material aid while the student "studies for the bar." Moreover, such cooperation will establish the first link for a satisfactory relationship with the profession. To the neophyte the librarian should also be able to offer suggestions as to minimum requirements for a lawyer's working library, relative cost of new and secondhand books, and names and addresses of publishers, dealers, or other sources from which they may be purchased. Short courses and institutes which bring alumni and others to the library must also be included in the program. For many, such courses mean an opportunity to work on problems for which personal libraries are inadequate, and library hours should be arranged so that the extra work may be accomplished before or after meetings. Exhibits of new books and bibliographies on the short course topic will also project the library into this fast growing phase of legal education.

Performance of library service at a teaching level can be accomplished only by a satisfactory staff. Here both size and quality are factors to be reckoned. As mentioned before, the number of staff members must grow proportionately with the faculty and the curriculum if the library is to perform its function adequately. Effective service requires sufficient clerical and technical personnel as well as

those more directly related to the library's objective. Those responsible for adjusting the library to the instructional needs of the school need a broad academic and professional background. "To be able to appraise the objectives of the college program, to study the needs of courses, and to translate this knowledge into every day library procedures, designed to further the ends of instruction, require qualifications of personnel equally as exacting as those required for teaching."33 Those words were written with college librarians in mind but they are also applicable to law school librarians. In a reference more directly in point, Edward S. Bade has described necessary qualifications of a law librarian:

In order to anticipate the trend and development of the law and the teaching thereof the librarian should first of all be the most widely read member of any law faculty. He must be thoroughly grounded in legal history and the history of legal literature. He must be well informed on current developments. He who is shooting at a mark in the future needs both rear and front sight to hit the mark. To qualify himself for his task and keep himself qualified he must obviously have been and be a competent and assiduous scholar.<sup>34</sup>

How well law librarians as a group qualify by those criteria, is, of course, impossible to say, the only readily available measure of educational proficiency being, in fact, academic degrees conferred. Even though degrees do not necessarily coincide with scholarship they provide one means by which to estimate scholastic ability. How do law school librarians measure by that yardstick? In the professional

<sup>34.</sup> Bade, QUO VADIMUS, 2 Journal of Legal Education 49 (1949).

fields, forty-eight have degrees in law, thirteen in library science and eighteen in both subjects. While seven have only a bachelor's degree in arts or science, sixty-five in all hold this degree, with fourteen of them having, also, an M.A. or M.S. Nine have received the degree of LL.M. Of the nine who list no degrees, three have had some training in library science, one is a lawyer, and the others mention extensive library experience.35

Compared with past years, those statistics evidence a slowly rising curve in educational qualifications with emphasis being placed on training in law. Many law school librarians believe there is need for higher qualifications. Indeed, it has been urged that librarians should not be satisfied with their academic attainments until they have reached the doctoral heights in either law or library science (or, if that is not feasible, a master's degree in both subjects) on the assumption that not until the librarian equals the teaching faculty in qualifications will he be given commensurate status.36 At present, however, statistics show little relationship between the degrees held by the librarian and his place (or lack of place) in the academic structure; 37 hence weight is given to the

argument of those who, while realizing the extent of knowledge actually necessary for attaining professional efficiency, consider further study impractical in the light of current salary average. The case at that point presents a quandary. If the educational qualifications of the librarian are raised, will his status increase accordingly? Or if the library position gains in importance, will librarians obtain correspondingly higher qualifications? Which must come first? As with the well known problem in priority of the chicken versus the egg, the question raised is one difficult to answer though interesting to debate. From all indications the law librarian of the future will need to meet higher educational standards than those required today. Certainly if a librarian expects to be on a par with the faculty he must have equal qualifications. But the problem has more than one factor. Until it is proved to a dean that the library is as important to the school as the teaching faculty, very naturally a limited budget will not be divided into relatively equal parts, no matter how high the librarian's qualifications are: and if it is necessary to choose between the two, the teacher rather than the librarian will be the

degrees have the following academic rank: Associate Professor-3, Assistant Professor-2, Instructor-3, no rank-7. Among those who have neither degree, there are: Professor-1, Associate Professor-2, Assistant Professor-3, Instructor-2, Lecturer-2, no rank-12. The 9 LL.M. degrees are scattered thus: Professor-1, Associate Professor-2, Assistant Professor-3, Lecturer-1, no rank-1.

With reference to academic rank: Professor: law degree only-7, neither degree-1. Associate Professor: Law-8, both degrees-3, neither degree-2. Assistant Professor: Law-13, both degrees-5, neither degree-3; Instructor: Law-4, Library-1, both degrees-3, neither degree-2. Lecturer: Law-

3, neither degree-1.

<sup>35.</sup> See note 21. Possibly some of the master degrees have been received for work in library science although not so indicated; for statistics of previous years, see Bade, supra, p. 43.

<sup>36.</sup> Bitner, H., THE EDUCATIONAL BACKGROUND OF THE UNIVERSITY'S LAW LIBRARIAN, 40 Law Library Journal 49 (1947).

<sup>37.</sup> With reference to professional degrees: those holding law degrees only have the following academic rank: Professor-7, Associate Professor-8, Assistant Professor-13, Instructor-4, Lecturer-3, no rank-13. Those holding library degrees only have the following academic rank: Instructor-1, no rank-12. Those holding both law and library

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one to advance in rank or salary. It is the librarian's responsibility to offer that proof. Only then, through an awareness of the whole situation on the part of the administration coupled with encouragement toward educational proficiency, plus a willingness also on the part of the librarian to meet the qualifications necessary to administer the library at a high teaching level, can the problem be resolved.

## The Elbert H. Gary Law Library of Northwestern University

by WILLIAM R. ROALFE® AND KURT SCHWERIN®®

Although interest in a library is to a large extent confined to persons who are in one way or another directly concerned with it, information relating to a specific librar is often useful to librarians because it provides a basis for the making of worthwhile comparisons. Sometimes the costly procedure of trial and error can be avoided by relying on the experience of another library and, even if the reader reaches the conclusion that his own policies are preferable, there may be some value in the reassurance that is thus obtained. This article has been prepared on the assumption that some such useful purposes may be served by a brief account of the development of the Elbert H. Gary Law Library of Northwestern University and that its appeal may, therefore, extend to persons who have no immediate interest in this particular library or responsibility for its administration.

I. ORIGIN AND DEVELOPMENT OF THE LIBRARY

## A. The Beginnings

The Law School of Northwestern University was founded in 1859, eight years after the University had been established, there being at the time but three similar schools west of the Alleghenies.¹ It was known as the Union College of Law and, under this name, it came under the joint control of Northwestern University and the old University of Chicago in 1873. When the latter institution ceased to exist, the School continued to operate solely under the auspices of Northwestern University, and in 1891 it became the Northwestern University School of Law.

During the first years of its existence the school had no library of its own. After its affiliation with the two universities the two university libraries were available to the students. At the same time they were, by special arrangement, permitted to use the Law Library of The Chicago Law Institute and cooperation between The Chicago Law Institute and the Law School has continued throughout the years to this day. In this connection, the following advice which the early Law School gave to its students should be of interest.

Students will find their own books. Arrangements have been made by which they may be supplied at the lowest trade prices. Many of the students obtain the use of books from the numerous law offices in the city, on favorable terms. Those who buy their books usually prefer to retain them, and thus be-

<sup>\*</sup>Librarian, Elbert H. Gary Law Library.

<sup>\*\*</sup> Head of Foreign and International Law Sections, Elbert H. Gary Law Library.

<sup>1.</sup> Northwestern University Catalogue 1891-92, p. 113.

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gin a library; but if they choose, they can sell them at the close of the term, at slightly reduced prices, in which case the net expense for the books will be small.<sup>2</sup>

This situation, a law school without a library, remained essentially unchanged for more than twenty years and the library of the Law Institute had to suffice. However, its collection of 14,000 volumes in 1884 and 25,000 volumes in 1894 certainly made available all the books a law student was likely to require. Needless to say, the University Library, which at that time contained a general collection of about 29,000 volumes and 19,000 pamphlets<sup>3,4</sup> was of little practical use to the law student and, in any event, it was in Evanston, twelve miles away from the Law School.

There is no record of a library in the Law School itself until 1894 at which time it was referred to as one "in which will be found the books most constantly needed for purposes of consultation." One year later this non-descriptive statement was succeeded by one somewhat more explicit for the Library is said to contain "the reports and text books most needed for reference" and the National Reporter System. The size of the collection, 3,000 volumes, was first given in 1901-02 together with a more de-

tailed description of the holdings. It is interesting to note that this was the year in which John Henry Wigmore became dean of the Northwestern University School of Law.<sup>5</sup>

### B. John Henry Wigmore and Elbert H. Gary

Men do not always make history and they never make it alone. Yet the contribution of one man frequently has a lasting influence in his chosen field of endeavor. The history of the Elbert H. Gary Law Library of Northwestern University is closely associated with two outstanding citizens of Illinois, Dean John Henry Wigmore (1863-1943) and Judge Elbert H. Gary (1846-1927).

John Henry Wigmore, Dean of the School of Law from 1901 to his retirement in 1929, and internationally recognized as one of the leading scholars in the entire history of American law, took the initiative in building up the Library. His farflung interests are reflected in his numerous published works. From the visited all parts of the world and since he was always devoted to the task of strengthening the library resources, he acquired works from all parts of the globe. The wide scope of the collection soon made the Library

<sup>2.</sup> Catalogue of the Northwestern University and Garrett Biblical Institute for the academic year 1873/74, p. 154.

<sup>3.</sup> Catalogue . . . 1883/84, p. 97.

<sup>4.</sup> Catalogue . . . 1893/94, p. 81, 83, 119.

<sup>5.</sup> Bulletin of Northwestern University, 1901/02,

<sup>6.</sup> The most notable publications of John Henry Wigmore are: SELECT ESSAYS ON ANGLO-AMERICAN LEGAL HISTORY (1907), PANORAMA OF THE WORLD'S LEGAL SYSTEMS (1928), A GUIDE TO AMERICAN INTERNATIONAL LAW AND PRACTICE (1943), LAW AND JUSTICE IN TOKUGAWA JAPAN (1941), and his monumental TREATISE ON EVIDENCE (1904), published in 10th edition in 1940, one of the outstanding works

in the whole field of Anglo-American law.

<sup>7.</sup> Dean Wigmore's special interest in the Library was also indicated by his preliminary bibliography of modern criminal law and criminology (Gary Library of Law, Bulletin no. 1, 1909). This bibliography was based on the collections of the Gary Library and Dean Wigmore stated in the preface: "It is believed that there is no other library of law, in this country, in which so ample a list could have been prepared." Criminal law has always been one of the special subject fields in the Library; see, infra, p. 221. Dean Wigmore also devised the original classification of the collections, the manuscript of which has been preserved in the Library.

one of the leading law libraries in this country.

In this task he was generously assisted by Elbert H. Gary, the son of an early Chicago settler and one of the early graduates of the Law School (1867). Judge Gary, as he was affectionately called in later years, left a successful law practice in Chicago to become a leader of the American Steel industry. He was instrumental in organizing the United States Steel Corporation in 1901 and was later its Chairman and President of the American Iron and Steel Institute which he had founded in 1909. His gifts to Northwestern University made possible the purchase of most of the original collections of the Law Library. In 1925 Judge Gary provided the funds for the attractive building on the Chicago Lake Shore Campus adjoining Levy Mayer Hall, the home of the Law School. He also established an endowment fund for the acquisition and care of books.8

## C. The Gary Collections

In the early years of Dean Wigmore's administration the Library collection consisted of:

The U. S. Reports, all of the State Reports to the Reporter System, the complete National Reporter System, the Lawyers' Reports Annotated, all of the Illinois Reports, statutes of all the states in the Union, and a large collection of digests, encyclopedias and text books. Of the English Reports it possesses the complete Law Reports since 1865, most of the remaining Reports between 1790 and 1865, and the Full Reprint of the earlier Reports as far as issued.

As would be expected, the foregoing description indicates that initially the emphasis was on the development of a strong collection of materials in Anglo-American law. However, Dean Wigmore's interest in acquiring a first-rate more comprehensive research collection soon became evident. The first significant step was the acquisition of the Gary Collection of the Modern Continental Law of 22 independent European countries in 1903. This was soon followed by the addition of the Gary Collections of International Law and of Ancient, Oriental and Primitive Law in 1906-7.

By 1910, when the Library had 40,000 volumes, several other notable Gary Collections had been added. The materials supplementing the comprehensive general Anglo-American collection were described as follows: Modern Continental Law (12,000 volumes), International Law (3,000 volumes), Ancient, Oriental and Primitive Law (2,000 volumes), Roman Law (2,500 volumes), Anglo-American Legal History (2,500 volumes), Criminal Law and Criminology (2,000 volumes), and smaller collections of Latin American Law, Jurisprudence and Legal Bibliography. The latter one ("comprising some 500 volumes and covering all topics and all countries") was at the time referred to as "one of the most extensive of the kind in this country."10

It is important to point out that these collections provided facilities for research in continental and international law not hitherto available

<sup>8.</sup> On the occasion of the dedication of the new buildings an attractive booklet was issued, NORTH-WESTERN UNIVERSITY SCHOOL OF LAW, 1859-1926:
A DESCRIPTION OF THE NEW BUILDINGS which also

described the new location and the former locations of the School.

<sup>9.</sup> Annual Catalogue, 1903-04, p. 240.

<sup>10.</sup> Annual Catalogues, 1910-11 and 1913-14.

west of the Atlantic Coast. In order to perpetuate the importance of Judge Gary's contributions to the development of the Library, the present name "Elbert H. Gary Library of Law" was assumed in 1911.

## D. Foreign Law and Research Service

Even in these early days there was a complete awareness of the significance of these collections and an assumption of responsibility to scholars and to the legal profession. A bulletin of 1903 described their origin, scope and purpose and a note by the Librarian in 1906 emphasized as some of their "unique parts" the full sets of Russian Supreme Court Reports, the Statutes of Iceland and the Laws of Liechtenstein.11 Also in 1903 the Library was opened to members of the bar, and in 1904 and later Bulletins were issued which again offered the service of the Library to the practicing lawyer and research worker and stressed its foreign collections.12

The Library was made available to all lawyers who presented satisfactory

11. "The Gary Collection of Continental Law and Jurisprudence", in Bulletin of the School of Law, ser. II, no. 2, August, 1903, p. 5-9. As stated before, the initial foreign collection comprised 22 countries. Not included in this figure were the numerous collections of state or provincial laws incorporated in larger legal systems, for instance, Bohemia, Bosnia, Croatia, etc. in the Austrian collection, and Finland, Estonia, Kurland, Poland, etc., at that time in the Russian collection. See PRELIMINARY CATALOGUE OF THE GARY COLLECTION OF CONTINENTAL LAW, in Bulletin, ser. II, no. 4, Feb./April, 1904, p. 5-34. See also: Frederic B. Crossley, THE GARY COLLECTION, in 18 Green Bag, 146-59 (1906). Mr. Crossley was librarian from 1906 to 1933. A PRELIMINARY LIST OF BOOKS IN GARY COLLECTION OF LATIN-AMERICAN LAW appeared in Bulletin, ser. VII, no. 2, Nov./Jan., 1908-09. The Gary Collection of Continental Law was formally dedicated on April 29, 1904 in the presence of the foreign consuls of Continental Europe and many other guests. See Bulletin, ser. III, no. 2, Aug./Oct., 1904.

credentials and to members of faculties of any other university who could, "on proper guarantees," also borrow particular volumes. Any person desiring legal advice upon foreign law was invited to write to the School. The question would

then be handed for reply to some local legal adviser, having the privileges of the Library, and recommended by the appropriate consul as skilled in the language conversed, who will consult the Library and will return an answer, charging such fee as may be agreed between himself and the correspondent. For the service, the Library will charge nothing to either party.<sup>13</sup>

From the foregoing statement it is perfectly evident that the importance of foreign legal materials to a great industrial and commercial area with substantial foreign interests was clearly recognized even at this early stage. It is also evident that the valuable library resources were made available to anyone who could profit from their use.<sup>14</sup>

### E. The Growth of the Library

In the period after the first World War the Library expanded steadily. Its collections grew from 46,000 volumes in 1919 to 56,000 in 1923, 70,000

12. Bulletin of August, 1903 and prefatory note to the PRELIMINARY CATALOGUE, Bulletin of Feb./
April, 1904 (cf. preceding note). See also: THE GARY LAW LIBRARY, in 15 Law Notes 190 (January, 1912).

13. Builetin of Feb./April, 1904, p. 6 and THE GARY LAW LIBRARY, loc. cit.

14. The importance of the foreign collections was continuously stressed in the Library. In a paper given before the 30th annual meeting of the American Association of Law Libraries at Denver (1935), Mr. Samuel E. Thorne, Librarian of Northwestern University Law Library from 1933 to 1945, pointed out the importance of foreign and comparative law and suggested that a careful selection of contemporary Continental law might bring higher returns than to try to have an all-inclusive collection of local or minor Anglo-American materials. See 28 Law Library Journal, 173-80 (1935). See also, infra, note 27.

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in 1929, 103,000 in 1932, and 110,000 in 1937. The effect of the decline in the rate of growth in the latter part of the period can be fully appreciated only when it is kept in mind that the production of legal publications was constantly increasing. With the limited funds available for the purchase of books during this period it was inevitable that a collection of such scope would deteriorate. In 1940, the Library had 115,000 volumes and in 1946 it had 124,000 volumes.15

Yet during all the years preceding the most critical period of the 1940's attention was given to the research aspects of the Library and its comparative law collections. When, in 1926, the present building of the Library was occupied, several important collections were added. among them was the Williams Historical Collection of Legal Instruments dating from A.D. 1300 to 1700, consisting of more than 500 original manuscript instruments and including nearly every form of instrument executed in connection with landed estates.16

Another notable addition, the Collection of Pictures, was described for the first time in 1932-33 as numbering some 2,500 pieces which had been accumulated through the years by purchase or by gifts. This Collection illustrates the history, personnel, and customs of the legal profession in Great Britain, the United States and all over the world. Extensive personal research has been carried on in nearly every country of Europe for pictures

to illustrate other legal systems. By 1932 this Collection, which was almost fully catalogued, included some 40 oil paintings and about 1,000 etchings and engravings, many of them being unique and irreplaceable.17

The Collections of Ancient, Roman, Medieval and Canon Law from the beginning included the representative medieval writers. These fields were constantly developed and today include many sixteenth and seventeenth century folio and a small group of Incunabula editions. The holdings of German, Swiss, Spanish, Italian, Dutch and Scandinavian law sources and of German works on the modern Roman law (Pandektenrecht) are excellent and the collection of the regional French Customary Laws (Coutumes) is outstanding.

Among the acquisitions which in later years enriched these sections of the Library, was the legal section of a Viennese Carmelite Convent whose collection was formed in the late seventeenth century. It consisted

of some thousand volumes upon Roman and Canon law, all printed before the middle of the seventeenth century, about thirty before the beginning of the sixteenth.

The Library was particularly rich in the decisions of the Rota Romana and those of the Rotae of Bologna, Ferrara, Macerata, Perugia and Avignon. The holdings in the field of papal decisiones has been found quite complete.18

In the field of Latin-American law the Theodore S. Chapman and Robert O. Farrell Collection of Mexican Law, presented to the Library in 1927-28,

<sup>15.</sup> The figures are from the annual bulletins for the respective years.

<sup>16.</sup> Northwestern University Bulletin, 1926-27,

School of Law Bulletin, 1932-33, p. 35-36.
 Note of Librarian S. E. Thorne in 30 Law Library Journal 251 (1937).

laid the foundation for enlarged collections from all the other Latin-American countries which at that time numbered about 4,000 volumes.<sup>19</sup>

More recently a large gift of nearly 1,000 volumes brought to the Library the George W. Shaw Collection, consisting for the most part of works on Roman, Medieval, French and German law and including a number of excellently preserved folio editions.20 This gift was particularly welcome because the funds available for the purchase of books had for years been inadequate to provide both for the purchase of the necessary contemporary publications and such earlier basic materials. But, as will appear hereafter, the decline in the growth of the collection was only one of the considerations that made a reorganization of the Library imperative.

#### II. THE REORGANIZATION PROGRAM

### A. The Problem Presented

The period during World War II represented the all time low in the history of the Library. While the attenuated student body and faculty reduced the demands for service to a trickle, the staff fell even below the mere maintenance level. However, this period at least served the useful purpose of further accentuating the fact that the Library had for years been operated on an unrealistically low-cost basis. Such a meager staff as had been maintained throughout the years could not possibly have encom-

passed the broad and continuous work load that is necessarily involved in the orderly development of a library, even if the funds had been adequate in all other respects. Consequently, the critical situation that had developed was no reflection on the staff and, indeed, the solid core of achievement upon which the more comprehensive recent program has been built is a tribute to those who labored throughout the years under circumstances which in some respects left a good deal to be desired.

The determination to rectify the situation came to a head in 1946 and by the end of the year a broad rehabilitation program had not only been planned but definite steps by way of implementation had already been taken. Stated in general terms this program involved (1) the organization of an adequate staff, (2) the rehabilitation and further development of the collection, (3) the reorganization of all processing operations, (4) the extension of the library service, (5) the development of cooperation with other libraries, participation in the work of professional organizations and contributions to the literature of the field. Each of these factors will be briefly considered in the following pages.21

## B. The Staff

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In September 1946 the Library had a full-time staff of four persons which was supported by a part-time staff of 18.22 It is this limited group which

Northwestern University Bulletin 1927/28,
 359.

<sup>20.</sup> Law School Library Bulletin, Northwestern University, No. 2, April 18, 1949.

<sup>21.</sup> For the problems which confronted the Li-

brary in 1946 and the reorganization program adopted at that time, see also the Annual Report of the Librarian for the Fiscal Year ending August 31, 1947.

<sup>22.</sup> See note 23.

had to cope with the immediate demands for service of the post war student body and faculty, under an instructional program in which the Library was expected to play an important part. Obviously, the contemplated reorganization could not be given undivided attention and, for the time being at least, only fairly simple changes could be put into effect. However, from the beginning, a limited amount of time was devoted to planning in order that there would be no unnecessary delay when conditions became more propitious for effective action.

Thus, recruitment became a major consideration, something that was accentuated by the fact that one of the four full-time staff members left in September 1946 and a second in February 1947. Ultimately only one full-time staff member remained to provide the highly desirable factor of continuity. The shortage of qualified persons and the great demand in the post war period made recruitment a slow and painful process and a modest salary schedule did not help the situation.

Eventually a large measure of success was achieved, in part through salary adjustments, which made it possible to secure persons with special professional qualifications, and in part by employing persons with adequate general backgrounds but with little or no experience in law library service and training them while on the job. Obviously, under such circumstances, some false starts were made and positions were sometimes vacant for limited periods of time. However, there was in general a gradual im-

provement and by March 1949 the staff had reached its present strength of ten full-time and an average of twenty-two part-time members.<sup>23</sup>

Numerically the staff was now adequate to take the expanding program of service in stride and to move forward with the reorganization program at a relatively satisfactory rate. In addition, it was evident that if it could be kept intact its overall competency was assured, for not only was a good deal being learned "on the job" but three members were going forward with their formal education.

Today the qualifications of the staff may be briefly described as follows. Seven of the full-time staff members are college graduates. Two staff members are law school graduates and one is admitted to practice. A third fulltime staff member has audited a considerable number of law school courses. Two staff members have degrees in library science and a third a master's degree in history. Another staff member has a European educational background, a master's degree in social science and is a candidate for the Ph. D. in history at Columbia University. The combined educational background is obviously very broad and embraces not only law, international law and library science but special emphases on history, economics, the political and social sciences, and a number of foreign languages including German, French, Hebrew, Italian, Spanish, Portuguese, Dutch, Russian, Polish, Greek, and the Scandinavian languages.

The practical experience of the staff

<sup>23.</sup> The part-time staff worked 130 hours in 1946 and at present works 170 hours per week.

in library service is also extensive and includes work in four other law school libraries, in two major general university libraries and in several highly specialized libraries as well. All phases of library work have been involved—the selection and acquisition of materials, classification, cataloging, reference work, research, and administration. One staff member has taught several regular law school courses.

In addition, as is more fully indicated hereafter, several members of the staff have in the past been and are now active participants in the work of professional organizations and have made significant contributions to the literature of library science and the related fields involved.

Perhaps the most important consideration is the fact that this group of persons with such diverse and complementing backgrounds has developed into a most effective team with an esprit de corps that insures that the most will be made of the resources that are made available to it for the development of the Library. It has demonstrated its capacity to overcome serious obstacles and to transcend the numerous irritations that are an inescapable part of an effective library service.<sup>24</sup>

### C. The Collection

As has already been indicated, by 1946 the Library had a collection of 124,000 volumes in which virtually all countries of the world were represented. While it included a substantial proportion of the basic materials needed in any good law school library

24. See the discussion on the staff in the Annual Report of the Librarian for 1951.

and many additional volumes useful for research in a large number of special areas the wide scope of the acquisitions policy, stated in terms of geography, had for years been maintained only by neglecting the systematic development of the collection as a whole. The inevitable result was a collection lacking some important basic materials even in American law, not only when viewed from the standpoint of research but even in terms of the teaching program that was already under way. In short, the collection, which included numerous volumes no longer available except at high prices and sometimes not at all was an asset of tremendous value; but it was an asset which was progressively deteriorating for want of systematic maintenance.

Basically the problem was then and had for some years been one of funds. Not only had the cost of maintaining the collection inevitably increased as it expanded but the income from the Gary Endowment shrank in effect as a result of the progressive decrease in the purchasing power of the dollar. For the successful attack on this problem the Library is indebted to the Law Alumni Association which created the John Henry Wigmore Fund, consisting of the contributions of law school graduates and other friends of the Law School. The books purchased with this fund have contributed to the improvement of every part of the collection and have made possible a quality of service that would otherwise have been out of the question. Although the books are thus distributed, their identity as a collection is preserved through the use of a

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special bookplate that is inserted in every volume.25

From the beginning top priority was given to American law because of its importance in the instructional program. It was, obviously, necessary to move on two fronts simultaneously. Missing volumes and sets were acquired as promptly as possible, something which was often not easy as many of them were out of print and difficult to secure. At the same time many important sets and single volumes were duplicated in order to meet the much greater emphasis that was being placed on the Library. While such duplication reduced substantially the amount available for the expansion of the scope of the collection there has never been any question about the primary obligation of the Library to the student body. However, duplication has been kept at the minimum that is consistent with the demands involved; for this is a point at which the careless dissipation of funds can have a permanent harmful effect.

The international law collection, which had only been partially developed, also required immediate attention because the subject was included in the curriculum as a required course in 1949-50.26 The great general increase in interest in this field made the task a most difficult one because many of the needed standard works were not only out of print, but were in great demand. Nevertheless, the collection has been substantially im-

proved and, while it is by no means exhaustive, it is proving adequate to meet most of the demands placed upon the Library.

As, from the teaching point of view, almost all pressing needs were concerned with Anglo-American or International law, and the emphasis was primarily of a contemporary nature, the urgency in other areas was not so much because of immediate needs as because many of the desired books were becoming increasingly difficult to procure. Fortunately, the collections in legal history and jurisprudence had not only been well developed in the first place, but had been adequately maintained. The same was true of several special collections notably those in Roman and canon law, and the two subject fields of criminal law and criminology, and aeronautics law. Unfortunately, this was not true of the foreign law collection which, although it included an excellent basic selection of materials for most countries, had to a considerable extent been neglected for a number of years. Accordingly, it has been systematically developed although this has necessarily been on a moderate scale.

In the acquisition of materials, and particularly foreign materials, the extensive exchange program involving the three journals published by the Law School, Northwestern University Law Review, Journal of Criminal Law, Criminology and Police Science, and Journal of Air Law and Com-

<sup>25.</sup> Annual Report of the Librarian for 1948. For the purpose of assisting the Law Alumni Association in setting up the John Henry Wigmore Fund, a special brochure, THE GARY LIBRARY OF THE NORTHWESTERN UNIVERSITY SCHOOL OF LAW,

A REPORT TO THE ALUMNI, was distributed.

<sup>26.</sup> Courses in international law have been regularly offered since before 1900, largely on the initiative of Dean Wigmore and Charles Cheney Hyde.

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merce, has been especially helpful.27

No doubt a word should be said about rare books of which the Library has a considerable number. Although together these are one of the Library's most valuable assets, the other pressing needs and budgetary limitations have made it impractical to add substantially to their number in recent years. Fortunately, such occasional purchases as have been possible have been supplemented by a number of valuable gifts. The situation has, therefore, not remained entirely stationary. Extremely important is the fact that they have been brought together as a separate collection and are housed under conditions providing more adequately for their preservation and use, considerations that had never before received adequate attention.

One serious consequence of the low cost operation of the Library was the physical deterioration of the collection. Thousands of volumes were in urgent need of repair or rebinding or of treatment with leather preservatives. Happily this is one phase of the reorganization program in which the objective has been almost fully realized. Since 1946 a total of 2,287 volumes have been rebound and 8,382 volumes have been treated with leather preservatives or repaired. There has of course been a substantial amount of new binding that is not included in these figures. Probably the problem will be completely under control within the next year.

## D. Processing

In respect to processing, an examination of existing operations had revealed the fact that (1) at some points further simplification was possible both in operations and as to record keeping; while (2) at others there were inadequacies, the most conspicuous example being that of the serial record. In addition, (3) the collection was classified under a system interestingly enough devised by Dean Wigmore,28 but long since inadequate to meet the needs of the much larger collection and the greater emphasis on the use of a wide variety of materials in the teaching program. Finally, (4) the card catalog which reflected the chronic understaffing, to which reference has already been made, and several shifts in policy throughout the years, was so inconsistent and incomplete that rectification of defects by half way measures was clearly out of the question.

1. Simplification. Whenever possible, unnecessary steps were eliminated. Direct ordering and receiving by the Library made this a simple matter at this point. A related step was a rationalization of the files so as to make the necessary records quickly available. Unfortunately, the physical arrangement of the Library prevented anything like complete centralization, as particular segments had to be accessible to members of the staff located in widely separated parts of the Library quarters. However, a

<sup>27.</sup> In 1952 the exchanges included 249 institutions, 117 in various parts of this country and 132 in 38 foreign countries. A description of the Library and its functions with special emphasis on its foreign and international law collections was given by Kurt Schwerin, THE ELBERT H. GARY LIBRARY

OF LAW, NORTHWESTERN UNIVERSITY AND ITS FOR-EIGN AND INTERNATIONAL LAW SECTIONS, 32 Illinois Libraries, 168-72 (1950), under the section "Special Libraries in Illinois".

<sup>28.</sup> See supra, note 7. The Wigmore classification was essentially a broad subject classification, subdivided geographically.

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division of the records on the basis of these functions has presented no serious difficulties from an organizational standpoint and inconvenience has been reduced to a minimum.

2. Records. The most conspicuous inadequacy so far as records were concerned, involved the listing of the serials regularly received by the Library. After a careful study of the various alternatives then available one of the units in which the revolving wheel is a distinctive characteristic was secured, appropriate form cards were prepared and the laborious task of creating the record was undertaken. The procedure adopted was that of adding each serial as a current number or volume was received. At first it was necessary to limit the entries on the cards to essential information leaving completion until a later date and even then there was a period during which the daily task was obviously a formidable one. However, the situation was eventually brought under control and the record has become an invaluable tool both to enter current receipts and as a source of detailed information about that substantial portion of the collection which is serial in character.

3. Classification. The reclassification of the collection involved the careful consideration of several important factors. The most important of these were (1) the unavailability of a generally accepted classification for legal materials which could be adopted in toto for the sake of preserving uni-

formity as between libraries, (2) the fact that the development of Class K by the Library of Congress would, under the best of circumstances, not be realized for a number of years, (3) the urgent need to provide promptly for a systematic arrangement of the collection, (4) the general arrangement of legal materials common to many law libraries, some features of which were also reflected in the classification already in effect, and (5) the fact that the most would have to be made of the available staff time both in working out the classification and in applying it. Because of the other urgent demands upon the staff, it was perfectly clear that the classification must be made a means to fairly immediate ends regardless of any other consideration.

As it is planned to make the classification available separately and in its entirety,29 this discussion will be confined to broad general considerations. One fundamental decision resulted in the division of the undertaking into three separate projects (a) Anglo-American Law, (b) International Law, and (c) all other materials. The adoption of the Schwerin classification for International Law<sup>30</sup> meant that in this area the problem became primarily one of application, although this has resulted in some modifications that will be reflected in the forthcoming second edition.

As the Anglo-American materials were, of course, in the most frequent use the development of this classifica-

<sup>29.</sup> Miss Helen McLaury, Head of the Cataloging Department, is now preparing the manuscript. It will not include international law. See the following note.

<sup>30.</sup> Kurt Schwerin, classification for international law, based on elsie basset's outline

OF TOPIC HEADINGS FOR BOOKS IN INTERNATIONAL LAW & RELATIONS IN CLASSIFIED FORM (Charlottesville, University of Virginia Law Library, 1947). The second edition which is planned, will include a list of subject headings.

tion became the primary consideration although some thought has from the beginning been given to the classifications for foreign law and the other legal systems, particularly in respect to general considerations which might be common to all of them.

After weighing various alternatives it was decided to take the Yale Classification as the point of departure.<sup>31</sup> This determination was based upon the following considerations:

1. This was the only comprehensive classification for legal materials readily available at the time.

2. The existing classification for Anglo-American law was similar to the Yale Classification in several particulars.

The need was too urgent to warrant long delay devoted either to planning or execution.

4. The high degree of probability that staffing would be a serious problem from a financial point of view both at the beginning and indefinitely indicated the advisability of adopting a scheme that would not be too difficult of execution.

Together, these considerations led to three fundamental decisions; namely, (1) the classification adopted for the Anglo-American collections is largely a form classification, (2) treatises are arranged alphabetically by authors, and (3) treatise is broadly defined and includes non-legal titles as well as purely legal publications. Whatever else may be said about the classification it has appeared to serve

the Library well. Under the open stack policy in effect, direct use of the books by the public has been constant and the magnitude of the reshelving problem bears witness to the fact that the books are used extensively. Both students and faculty members appear to find it highly convenient to have the treatises, whether legal or non-legal, together rather than separated as was formerly the case. In addition, while there are, of course, obvious advantages in having books brought together in terms of subject matter, their extensive use under the author arrangement seems to negate the assertion sometimes made that such an arrangement is a deterrent to use. For foreign and international law the classification by subject has, nevertheless, been adopted or retained although the separation of the works of a single author has sometimes been questioned by readers.

4. Cataloging. As has already been suggested, a chronic shortage of manpower prevented the development of an adequate catalog and its systematic maintenance. Accordingly, one important task involved in the reorganization program was a complete recataloging of the collection. Therefore, it has not only been necessary to handle every book in the collection for the purpose of reclassification, but it has been necessary to recatalog it at the same time. One distinct advantage that has flowed from this substantial task has been the compilation of a comprehensive list of subject headings in the preparation of

31. Frederick C. Hicks, YALE LAW LIBRARY CLASSIFICATION (New Haven, Yale University Press, 1939, Yale Law Library Publications, No. 8). Foreign Law, the classification and list of subject headings in A. Arthur Schiller, THE RECLASSIFICA-

TION AND SUPPLEMENTAL CATALOGING OF BOOKS IN THE COLUMBIA UNIVERSITY LAW LIBRARY, A SURVEY (New York, Columbia University Law Library, 1947) has been extensively consulted. which all available major lists have been used to great advantage.<sup>22</sup> As the list will be published separately, it needs no further discussion at this point.<sup>28</sup>

Some appreciation of the magnitude of the task involved in reclassifying and recataloging the collection may be derived from the fact that to date 121,602 volumes have been reclassified and 89,402 cards have been prepared. The cards have been distributed as follows: to the shelf list 13,445 cards, public catalog 58,244 cards, General University Library 13,732 cards, and to the Chicago Union Law Catalog 3,971 cards.34 Inevitably, the question arises: are the benefits which flow from this expensive undertaking worth the cost? Most librarians will unhesitatingly answer, yes; for, they know that certain important classes of books are to a large extent not available until they are cataloged. A high quality of reference service is certainly impossible without it and it in fact receives considerable use by faculty members, law students and other persons.

#### E. Service

The Library's primary responsibility has been and still is to the Law School although its service is ex-

tended to the entire University community and service to the bar is an increasingly important factor. The Law School student body not only constitutes the most numerous group but this group as a whole makes extensive and almost continuous use of the Library. In the first place, the use of assigned materials on a substantial scale is common to a number of courses and as many of the items involved have to be kept on reserve in order equitably to spread their use, this is a work load item of no mean consequence. But important as this service is, it is greatly supplemented by the extensive use of materials in original research by students seeking solutions to problems assigned to them, but without specific references to the books in which relevant information would be found. Such work is, of course, involved in the course in legal Bibliography succeeded since 1949-50 by the course in Legal Writing and Research,35 in preparation for Moot Court, in seminars and at several other points. In each of these courses the students are provided with opportunities to secure first-hand experience in solving legal problems acting primarily upon their own initiative. They learn by doing and even in the course in Legal Writing and Research, where considerable guidance is provided, they learn pri-

<sup>35.</sup> For the manner in which elementary training in the use of library materials is provided, see: William R. Roalfe, some observations on teaching legal bibliography and the use of law books, 1 Journal of Legal Education 361-77 (1949). Although there have been some modifications in the course in Legal Writing and Research since that time the following article may be of interest: Jerome J. Shestack, Legal Research and Writing: The Northwestern University Program, 3 Journal of Legal Education 126-30 (1950).

<sup>32.</sup> Association of the Bar of the City of New York Library, preliminary list of subject headings (1947). Columbia University Law Library, subject headings in anglo-american and international law, compiled under the direction of Miles O. Price (New York, 1949). U. S. Library of Congress, subject headings used in the dictionary catalogs, 5th ed. (Washington, D. C., 1948).

<sup>33.</sup> The list is being prepared by Miss Helen McLaury and will include all legal systems except international law. (See supra, notes 29 and 30).

<sup>34.</sup> The Chicago Union Law Catalog was established in 1940.

marily not by reading about books through the pages of a text, but by actually using books in their wide variety in working toward ends that cannot otherwise be achieved. Finally, the students who participate in the editorial work of the Northwestern University Law Review, the Journal of Criminal Law, Criminology and Police Science and the Journal of Air Law and Commerce obtain training at a fairly high level.

The role of the library staff in all of these endeavors is of course fairly obvious; but it should perhaps be stated that the primary aim is to increase the student's proficiency rather than to ease his way. It is hoped that he will leave the Law School conversant with all of the usual approaches to the Law and familiar with the basic techniques of legal research.

The attitude of the staff to the faculty is somewhat different. Every effort is made to facilitate their use of library materials and increasing their proficiency is a minor consideration. So far as is practicable, allowances are made for differences in working habits and even for personal idiosyncrasies. As every reference fibrarian knows this is sometimes a very troublesome public relations area. Fortunately, a cooperative and appreciative faculty has kept these irritating and disrupting problems at a minimum.

Because the University is located on two campuses, separated by a distance of 12 miles, use of the Law Library by faculty members and students in other departments is not extensive. Nevertheless, the Law School maintains the only legal collection of consequence and so far as service is concerned, it is the University Law Library. Use of the Law Library by any member of the University community is subject only to the same restrictions as are made applicable within the Law School itself. To facilitate the use of the materials in the Law Library by other departments of the University, a catalog card for each title is filed in the main University Library catalog.

There remains the question of service to the bar. As the Library has the largest collection in the Chicago area and it is located near the center of the city, lawyers resort to it for service when materials not otherwise available to them, are required. Although the Library also has the largest foreign legal collection in the area, and members of the bar are increasingly finding it necessary to deal with problems concerned with foreign law, it may be of interest to note that about fifty percent of such use is concerned with materials in Anglo-American Law. While use by members of the bar is of course relatively small, if compared with the use by members of the Law School community, it is important because if the materials involved were not thus available, it would be necessary to borrow the books from a distance, which is often impractical, or to refer the legal question involved to an attorney in a city with the adequate library facilities.

Since 1946, and as a part of the reorganization program, the staff has assumed the responsibility of keeping itself informed about contemporary

publications in all fields of interest to the Library whether they are acquired or not. Because for law this information is not available from a single source, but must be secured from numerous sources, systematic listing seemed to offer the most effective method of making the information generally available for library staff use. As if reproduced in numbers, the same list would be helpful to the faculty and others who use the Library, the list has since December 1946 been published in mimeographed form under the title Current Legal Publications and made readily available within the Law School and to other interested persons within the University community. The list has also been sent to libraries on request, and that it serves a useful purpose seems to be demonstrated by the fact that the mailing list contained 84 libraries in April 1953 when it was superseded by Current Publications in Legal and Related Fields in the preparation of which the staff is participating.36

Bibliographical services of more limited scope are a list entitled Selection of Foreign Legal Publications which reflects the acquisitions of the Law Library and other titles of interest. This list has since October 1948 appeared as an appendix to Current Legal Publications and has since May 1953 appeared separately on a bimonthly basis. In addition, Kurt Schwerin has regularly contributed

lists of foreign language periodicals and articles to the Journal of Criminal Law, Criminology and Police Science. While these lists are addressed to more limited audiences, the response to each has suggested that the information communicated has been helpful to specialists in the fields involved.

### F. Cooperation With Other Libraries

Needless to say, the reorganization program has from the beginning envisioned active cooperation with other libraries both directly and through organized groups. This has not only involved interlibrary loans and the exchange of duplicate materials, but also the supplying of information both bibliographical and concerning matters of library administration. Such direct cooperation has been substantially supplemented through collaboration in the work of organized groups both by the Library as such and by members of the staff individually. Perhaps the most advanced form of this collaboration has been that of the Committee of the Chicago Association of Law Libraries on Cooperation between the Four Major Libraries in the Chicago Area, which has been primarily concerned with the integration of the acquisitions programs of these libraries, so far as is practicable, in order to increase their combined coverage and thus enhance the service to the area as a whole.

All of this cooperation has involved

tory work was done by the Special Committee on Publications of the Association of which Miss Scarborough is Chairman. Miss Scarborough also is joint editor of the section on CURRENT PUBLICA-TIONS in the Law Library Journal.

<sup>36.</sup> Current Publications in Legal and Related Fields is compiled by Miss Dorothy Scarborough, Head of the Book Selection Department of the Elbert H. Gary Library, in cooperation with other librarians. The publication is endorsed by the American Association of Law Libraries and the prepara-

the application of the principle that every library staff should do more than merely carry on the library program of its own institution; it should also contribute to the work of the field as a whole. This has involved service as officers of professional groups, the filling of numerous committee assignments, and the preparation of a number of written contributions. Such participation is active at the present time and, as has already been indicated, definite plans for its continuance have already been made.

Although a large measure of success has been achieved in realizing the goals that were established when the reorganization program was first projected in 1946 much that has been accomplished must be followed by a well rounded continuous program if the Library is to serve the University and the community as it has in the past. Furthermore, there are always problems. As the collection has grown and the service has been expanded the inadequacy of the present quar-

ters has become increasingly apparent. Consequently, a reorganization and expansion of the present building is certainly an undertaking to which attention should now be given. Another concerns the decreased purchasing power of the dollar which not only poses a constant threat to the successes already achieved, but has in fact already detrimentally affected the growth of the collection. Although so far it has been possible to meet all current needs for books, building for the future, which is so important in the creation of a strong research collection, is necessarily being carried on at a more modest scale than is desirable.

The foregoing problems are mentioned here merely to emphasize the fact that the work of a library staff is never done. Their solution lies in the future. Any account concerned with a library, as with any active organization, necessarily ends in midstream.

## A Law Librarian's Ten Commandments

by Dillard S. Gardner, Librarian North Carolina Supreme Court Library

As the lawyer approached my glassfront office, I had real misgivings. He had always showed an undue willingness to impose on the slightest show of co-operation. This time he belligerently charged that the library "has only the Supreme Court decision in the case I want and I need the lower federal decisions." Perhaps a little curtly, I asked if he had looked in Shepard's Citations. He gave me the familiar blank look, which always means that he is ready for you to do it for him. Back we went to his table. Within arm's length of his notes was Shepard-untouched. I turned to his citation-and the string of wanted references. He grunted approval. I checked a sarcastic comment-with some difficulty. I cooled off as I returned to the office. After all, he is a legal specialist, familiar with a great deal of law about which I know little. I thought a moment, then wrote at the top of the first page of my datebook:

Thou shalt be slow to judge a man a fool, lest his wisdom exceed his knowledge and thou be condemned by thine own judgment.

Less than five minutes later, back he came. This time he had a New York case which he could not find in the New York section. I suspected the trouble—and was right. It was a New York Supplement citation. I explained that this was a West Reporter reference, found it for him (within ten feet of his table), and as I returned to the office recalled that I had given him this same explanation the week before. On second thought, I had given it many times to able lawyers—and even judges. I opened the date-book, read the notation above, and added,

Thou shalt not be wise in thine own conceit; thy wages are paid thee for knowing these things.

Recently, an attractive and intelligent woman came into the library and requested "the divorce laws". I asked if she wished them for this state only. She replied that she wanted them "for the different states". I brought her Martindale's Digest and showed her how the divorce laws were summarized for each state, then I showed her the codes of the states to which she could turn for fuller treatment. After that I showed her Schouler's Divorce Manual and other textbooks, explaining that these discussed more fully many divorce problems not settled by the statutes. Some time later. I noticed that, with all the books about her, she seemed baffled. I asked if I might help further. Relieved, she told me that she wanted to know the residence requirement

for Florida. I turned to this in Martindale. She thanked me brightly and went away. I went to the office and added another notation in the datebook,

Thou shalt curb thy zeal; a stream quencheth the thirst, but a flood washeth away the camel.

A new law-clerk left the Library one day without dating and signing a list of the books he was taking. I halted him and gave him a lecture on the necessity of such a list to enable us to locate books out of the Library. I explained how emergencies arose when books were needed quickly. Later I discovered that the assistant had already fully explained all that I had said, but there had merely been a failure to make clear that the list was to be left in the office. I apologized to the young man, then went to my date-book and wrote, Thou shalt not swat a fly with a sledge-hammer.

It is surprising how often patrons are seeking in a law library information which is more readily available in a general library. Take, for example, the student who inquired for statistics on marriage and divorce. The easy solution was to direct him to a general library. On second thought, he might find all he needed in the law library. A few minutes with the "information" almanacs, annual reference volumes, and the encyclopedias, I gave him just the information wanted. His time had been saved; the Library made a friend and extended the range of its usefulness; nobody was the loser. Back to my date-book I went,

Thou shalt give food and drink unto

the wayfarer lost within thy gates. Then there is the old problem of the fault-finder. More often than not. it is a case of the poor workman criticizing his tools, but this is a truth which must never be mentioned. It is much more effective to admit the possibility of fault and go immediately with the fault-finder to investigate it. Elicit his help, instead of antagonizing him. When you find that it was his own oversight or incompetence, as will usually be the case, let him discover that fact; if the error was, after all, the library's, your prior admission of fallibility will have already disarmed your critic.

Confess thine imperfections that all men may know thee as brother; be not proud in perfection, lest all men turn and rend thee.

To cover the many cases of those who want "special treatment" and insist that exceptions to the rules be made for them, I added:

Thou shalt do equal justice to all; if thy rule be evil, change it, but make thou no exceptions.

To guard against treating routine questions as chores and the requests of patrons as burdens, it is well to remember,

Thou shalt not harden thy heart against those seeking knowledge, but deal with them in loving kindness.

To prevent the evils of smug satisfaction which sometimes reach the patrons in an unfortunate curtness of manner and indifference in attitude, I wrote,

Thou shalt serve all people gladly, for out of the common treasury cometh thy food and raiment.

To keep ever uppermost the worth and dignity of the individual, upon which all satisfying human relations must be based, I closed with:

Thou shalt remember that there are no little people or unimportant questions, but thy brother seeking help.

Along about now I hear some reader mumbling, "Gardner is getting corny. All he is saying is that a pleasant smile, a warm heart, a sympathetic understanding, and a gentle manner are assets when a law librarian deals with the public." If you think that is all I have said you had better go back and re-read slowly. But, suppose we assume that you are right. Then let's be honest with ourselves. How often, recently, have you shown a patron that you were tiredor worried-or sick? How often have you been abrupt-or impatient-or inattentive? How often have you brushed off the inquiry with a "see your lawyer" or "its too complicated or technical to understand without special training"? How often have you been condescending-or patronizing-or downright rude? Since this is an "experience meeting", I have a confession. As long as I can remember I have admired clever repartee and the bright retort. It has taken me an awfully long time to learn that what is sharp—cuts and hurts. I have learned (I hope) the hard way that cruelty and cleverness usually go hand in hand-and the clever have few friends. Something else I ignored a long time: people had rather be congratulated than depreciated. You become a discriminating person in their eyes when you discern their superior qualities; you are discounted when you belittle them. If you think these observations are "elementary" and "obvious", let this sink in: In my candid opinion, by ignoring these elementary factors, we are steadily losing more potential good will to our libraries than all of the costly, aggressive public relations activities are building up. Since I feel this so strongly, I have no hesitation in repeating the rules above, under the title of:

## A Law Librarian's Decalogue

- Thou shalt be slow to judge a man a fool, lest his wisdom exceed his knowledge and thou be condemned by thine own judgment.
- Thou shalt not be wise in thine own conceit; thy wages are paid thee for knowing these things.
- 3. Thou shalt curb thy zeal; a small stream quencheth the thirst, but a flood washeth away the camel.
- 4. Thou shalt not swat a fly with a sledge-hammer.
- 5. Thou shalt give food and drink unto the wayfarer lost within thy gates.
- 6. Confess thine imperfections that all men may know thee as brother; be not proud in perfection, lest all men turn and rend thee.
- 7. Thou shalt do equal justice to all; if thy rule be evil, change it, but make thou no exceptions.

- 8. Thou shalt not harden thy heart against those seeking knowledge, but deal with them in loving kindness.
- 9. Thou shalt serve all people gladly, for out of the common
- treasury cometh thy food and raiment.
- 10. Thou shalt remember that there are no little people or unimportant questions, but thy brother seeking help.

## Questions and Answers

Compiled by Marian G. Gallagher, Librarian
University of Washington Law Library

The editors, with the assistance of the Subcommittee on Law Library Problems of the Committee on Cooperation with the Association of American Law Schools, will attempt to find answers to questions regardless of their suitability for publication, and questions which seem to need immediate replies will be answered by mail prior to publication in the Law Library Journal. Address questions to Mrs. Marian G. Gallagher, Law Librarian, University of Washington Law Library, Seattle 5, Washington.

We are grateful to the following law librarians, in addition to those who contributed specific answers, for advice on the problems presented in this issue:

> Bernita J. Davies Ervin H. Pollack Dorothy Salmon Josephine W. Smith

> > 1

Question:

Why, although we became independent in 1776, do our laws begin with 1789, the Constitutional period?

Answer (contributed by Miles O. Price):

The Ordinances of the Confederation were never collected, but are found in the Journals of the Continental Congress. The Journals were published by the Library of Congress in 34 volumes between 1904 and 1937; most of these volumes are still in print.

2

Question:

How much time should I budget for filing of loose-leaf services?

Answer:

An accurate average filing time could be computed only for specific services, and would not be particularly useful to anyone who did not subscribe to the same ones; so we have made no attempt to find a scientific answer. We have the guess of two representatives of loose-leaf publishers that filing time for one report should be 5 to 10 minutes. If you can estimate the number of reports you receive each week or month, you might use this as a starting point. Variations caused by differences in speed and experience of filers and in services received are illustrated by reports from four libraries, listing number of annual loose-leaf subscriptions and filing hours consumed over a two-week period: Library A, with 13 services, used 121/4 hours; Library B, with 10 services, used 15 hours; Library C, with 35 services, used 18 hours, and Library D, with 31 services, used 131/9 hours.

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The questioner suggests that we ask each of the loose-leaf publishers to send us estimates of filing time for each of their services. If we have the courage to do so, we shall be glad to publish in a later column the figures from any publisher who has the courage to answer.

3

Question:

How do you file microcards?

Answer (contributed by Betty V. Le-Bus):

Microcards need no special care and can be handled like regular catalog cards. One librarian who has given the problem some thought suggests filing them in a cabinet with snaplock rods, with an overall lock so the cabinet can be opened with a key by library personnel. She has a bid on such a cabinet from Watson Manufacturing Company of Jamestown, New York.

4

Question:

I am disturbed by the fact that so much time elapses between the arrival of new books and their appearance in our catalog. Much of this delay is caused by the time it takes to obtain Library of Congress cards. Can you suggest any remedies for this situation?

Answer (contributed by William B. Stern):

Order your Library of Congress cards at the same time you order the books; as the cards cost so little, you do not lose much even if you fail to receive the books. If the cards have not come by the time the books arrive, put a copy of your book order card into your catalog as a temporary card. Make arrangements with your catalog department to the effect that new books will be given preferential treatment. Keep an author and subject list of new books near your catalog. Keep descriptive literature concerning new books in a ring binder near your catalog until the books are received. Book jackets also may be inserted in this binder.

5

Question:

Sometimes the few sources with which I am familiar do not contain specific statutes under their popular names. I know I am missing some of the tables of statutes by popular name. Could you supply a list?

Answer (contributed by Carleton W. Kenyon, assisted by Mary K. Sanders):

#### FEDERAL STATUTES

 Federal acts by popular names or short titles, to Jan. 1st, 1950. Frank Shepard Co., 1949. 126 p.

Same, from Jan. 1st, 1950 to Jan. 1st, 1952.
 Frank Shepard Co., 1951. 45 p. Kept to date in cumulative supplements and advance sheets of Shepard's U. S. Citations.

 Scott and Beaman. Index analysis of the Federal statutes 1789-1873. "Popular names of statutes", p. 1135-1146.

McClenon and Gilbert. Index to the Federal statutes, 1874-1931. "Official or popular names of statutes, treaties and proclamations", p. 1149-1167.

 U. S. Code. "Acts by popular names", vol. 4, 6207-6278. Supplement V, vol. 2, p. 3197-3991

 U. S. C. A. "Table of acts cited by popular name", Index vol. 4, p. 661-806 and pocket part.

 F. C. A. "Table of acts by popular names", Tables volume, p. 499-543 and pocket part. 8. Digest of United States Supreme Court Reports. "Table of statutes by popular

names", vol. 14, p. 935-1124.

9. U. S. Code Congressional and Administrative News. "Popular name acts", located in annual volumes and pamphlet supple-

#### STATE STATUTES

1. Hendrickson, A. M. "Alphabetical list of state acts cited by popular name", 9 Law

Library Journal, 23-31.

2. Shepard's State Citators. "Table of acts by popular names or short titles", located in Ark., Calif., Colo., Conn., Del., Fla., Ill., Ind., Ia., Kan., Ky., Mass., Mich., Minn., Mo., Nebr., N.J., N.Y., N.D., Ohio., Ore., S.C., S.D., Tenn., Tex., Wash., Wisc. citators.

3. California Jurisprudence. "Acts known by short titles or popular names", vol. 27, p. 739-745. Kept to date in cumulative sup-

plements.

4. Texas Jurisprudence. "Acts cited by short title or popular name", vol. 10 of Ten-Year Cumulative Supplement, p. 292-294.

5. Various editions of state statutes.

#### ENGLISH STATUTES

1. Chitty's Statutes of Practical Utility, 6th ed., 1913. "Table of short and popular

titles", vol. 16, p. 1-52.

- 2. Same, Noter-Up, 1911-1947. "Alphabetical table of short titles of acts and measures printed in Chitty's Statutes 1911-1947", p. 7-44.
- 3. Craies, W. F. Treatise on Statute Law, 5th ed., 1952. "Some popular titles of statutes", p. 561-566. See also earlier editions.

4. Everyday Statutes Annotated. 1929. "Table of short and popular titles", vol. 4.

5. Halsbury's Complete Statutes of England, Hailsham ed. "Alphabetical table of short titles", vol. 21, p. ix-xl. Kept to date in Cumulative Supplement.

6. Halsbury's Complete Statutes of England, 2d (Burrows) ed. "Alphabetical list of statutes", vol. 27, p. 7-69. Kept to date in continuation volumes.

#### Question:

Librarians have frequently been chided for filing word by word rather than letter by letter. Letter by letter filing is used by telephone companies, publishers of legal digests, etc., and non-librarians are used to it. Should we switch over to letter by letter filing?

#### Answer:

Not if uniform library practice means anything to you. Your patrons can get used to word by word filing very easily, and most of them would be surprised to find you following telephone company instead of library methods. A change in your system would not put you in step with publishers of legal digests, since they follow no uniform pattern. John W. Heckel recently examined 8 leading legal encyclopedias and digests, and found that four of them were alphabetized letter by letter and four word by word.

# James H. Deering Has Crossed the Bar

At the age of ninety-four, James H. Deering, beloved librarian emeritus of the San Francisco Law Library and one of the oldest members of the State Bar of California has left behind his generous contribution to society. On Tuesday, March 10, 1953, Mr. Deering passed away at Santa Cruz, California.

Born of a pioneer family in the small gold mining town of Jackson-ville, Tuolumne County, California on August 23, 1858, he was one of a family of four sons and a daughter. It is from this humble beginning that Mr. Deering rose to become loved and honored among lawyers and students alike; those he could call by name number in the hundreds in all parts of the state.

The Deering family moved from the Mother Lode Country, of California's 1849 gold rush fame, to San Francisco where Mr. Deering spent his later youth. He was graduated from Hastings College of the Law at San Francisco in 1881. After a short time as an active practitioner he became librarian of the San Francisco Law Library in 1888, succeeding his brother, Frank P. Deering, who was its first librarian and later a prominent member of the San Francisco Bar. James Deering served in the capacity of librarian until May 1, 1928, when he retired at the age of seventy.

From 1888 to 1906 he built the San Francisco Law Library into a nationally recognized institution, and then came a catastrophe: the holocaust of 1906. Early in the morning

of April 18, 1906 the earth began to tremble; fire seemed to be breaking out everywhere; the great conflagration had taken its toll. The law library of 30,000 volumes that Mr. Deering had so carefully selected lay in the smoldering ruins of the city, save perhaps half a dozen volumes. Undaunted and with the help of Robert Owens, his assistant for many years and later librarian, who predeceased Mr. Deering by a very short time, he set about the huge task of rebuilding its collection immediately. When he retired in 1928 the old library was replaced (to the extent replacement can be a reality) by a rich collection of legal and quasi-legal material which again attained national recognition with its then 66,500 volumes.

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Despite the task of rebuilding a library, Mr. Deering somehow found time to edit the California Codes which bear the Deering name to the present day. Included in his literary accomplishments was a valuable early work on negligence.

His graciousness and patient interest in the problems and concerns of lawyer, librarian and student, as well as the general public, endeared him to all. In consequence, many are they who have imposed upon his time, his abilities and upon his good nature. Indeed, his repose must be sweet; for, few men have ever been so much beloved, honored and respected by those who knew him. His unusually gentle and courteous manner combined with simplicity and dignity left one with

a peculiar awareness of a man of quality, distinction, intelligence and accomplishment.

His should be the greatest reward.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark;

For tho' from out our bourne of Time and Place

The flood may bear me far, I hope to see my Pilot face to face When I have crost the bar.\*

ROBERT J. EVERSON

## To the Memory of James Joseph Lunsford

James Joseph Lunsford, Librarian of the Central Law Library of Hillsborough County, Tampa, Florida, was called from our midst on October 21, 1952 at the age of 82.

While he never occupied any judicial position, his distinction among the Bar was such that he was generally referred to as *Judge*. Judge Lunsford was born in Southern Alabama on February 2, 1870. He took up his study of law in Thomasville, Georgia and was admitted to the Bar there. After a short period of practice in Georgia, he started upon the practice of his profession in Tampa in 1899. In a short time, he became one of the leaders of the Bar.

Judge Lunsford not only mastered through constant and thorough study the principles of law, but he was an omnivorous reader and student of the sciences, and had one of the most active minds and was one of the best read and educated men on most any subject in the practice of law at the Bar of Hillsborough County. He was recognized as the outstanding attorney in the art of pleading and successfully won many important cases by pleading his adversary out of court.

By reason of his outstanding abil-

ity and his great wealth of knowledge accumulated through his indefatigable and constant application to the law, as well as literature, he was selected as the attorney to organize the Peninsular Telephone Company and he did, as attorney, organize that company and represented it as its retained counsel until 1926, when he voluntarily retired from the practice of law. He also numbered among his clients the Swann & Holtsinger Company, with its subsidiary corporations, numbering approximately 15 or so. At the time he began his practice of law in Tampa, Hillsborough County embraced what is now Pinellas County and he maintained through the years a splendid practice throughout the entire territory of the West Coast of Florida. His services were always in demand. The outstanding record of Judge Lunsford as an attorney will always remain as a landmark to his honor and which every young lawyer can well strive to emulate.

Judge Lunsford was a man of absolute integrity, not only in his profession, but in his private life. Reams upon reams could be written paying tribute to his ability as an attorney, but his great outstanding attribute

<sup>\*</sup> From Tennyson's Crossing the Bar.

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was his willingness and desire at all times to help his fellowman and particularly to assist young attorneys.

While in the private practice, he aided and assisted young attorneys who sought his advice and it was recognized that any young attorney having a complex problem would always find cheerful assistance at his hands. He aided attorneys who are still practicing, and who were struggling for existence back in the early days to get a foothold and beginning, by associating them with him in his practice. He was a man who was interested in his community, taking an active interest in all civic matters for the promotion of the welfare of Tampa, as well as his State.

When the Central Law Library was first established in Hillsborough County in 1937, he was called back from retirement and appointed as Librarian, which position he held until his death. He filled this position as

he had performed all other duties of life, with ability and fairness to all. As a matter of fact, the attorneys of the Bar, both young and old, will attest to the fact that while making use of the Library facilities, Judge Lunsford would gladly and cheerfully assist them not only in their research, but give them the advantage of the knowledge which he possessed concerning the particular problem with which they were concerned, and many times the information and suggestions received from Judge Lunsford proved more helpful in the trial of the cases than what they found recorded in the reported volumes.

He was a devoted husband and father and spent an appreciable portion of his time in deep study on spiritual matters.\*

<sup>\*</sup>Adapted from a Resolution of the Library Committee of the Bar Association of Tampa and Hillsborough County. The Resolution was offered at a memorial service for the departed members of the Association on May 29, 1953.

## **CURRENT COMMENTS**

CORRECTION. In the title of the article on Sources of Legal Information in Poland by Stefan Rosada and Jozef Gwozdz (46 Law Library Journal 120, 1953), the statement that the authors are members of the Mid-European Law Project at the Law Library of the Library of Congress was inadvertently omitted.

The Chicago Association of Law Libraries elected Jean Ashman as President, Father Edmund Burke as Vice-President, Dorothy Scarborough as Secretary-Treasurer, and Grace French and William D. Murphy as members of the Executive Board for the ensuing Association year. It was decided to hold a second Workshop in the fall; a Steering Committee, with William R. Roalfe as chairman, was organized.

The Chicago Law Institute is continuing the publication of its Bulletin with brief articles on the resources of the library, its physical equipment, recent acquisitions and subject lists of articles in selected legal periodicals.

Commerce Clearing House, Inc. has entered the audio-visual field with a sound slide film on modern federal tax law reporting.

The Directory of the Association of American Library Schools has been published in third edition by the Division of Library Instruction of the University of Minnesota.

The organization of the Friends of the Law Library of Congress has been reactivated. Roy William Vallance was elected President.

Valuable hints for the acquisition of government documents and research reports are found in N. M. Bowman's Publications, Maps and Charts sold by U. S. Government Agencies Other than Superintendent of Documents and E. B. Jackson's How to Obtain Research and Development Reports from the Government, published in the February and March issues of Special Libraries.

The IBM Book Charging Recorder and the IBM Transaction Card both of which may be used either in connection with photographic book charging machines or otherwise, are described in a booklet entitled Circulation Control for Libraries which is available on request from the Department of Information of the International Business Machines Corporation (590 Madison Avenue, New York 22, N. Y.).

The Institute of Advanced Legal Studies at the University of London has published its fifth annual report covering the year from August 1, 1951 to July 31, 1952. The total of the book collection is reported as 30,550. The facilities of other libraries are stated as being available through a Central Catalogue which covers the holdings of law libraries in London, and the Union List of Commonwealth Law Literature in Libraries in Oxford, Cambridge and London (The Institute, 1952, mimeo-

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graphed, 15s.) which the Institute expects to keep up to date in a card file. The resources of the Institute are primarily used for graduate and postgraduate research. Among non-British items, reports of the decisions of courts in continental European countries are received currently. The Institute holdings are in the process of cataloging with the aid of Library of Congress cards. Expenditures for books amounted to £1,049 10s. 7d. A total of 617 volumes was bound into 313 books at an average cost of 16s. 10d. per book.

The Institute of Early American History and Culture at Williamsburg, Va., announced the award of a \$500 prize to David J. Mays for his two-volume work on Edmund Pendleton, the famous 18th century lawyer, judge and legislator, as the "best book of 1952 in the field of early American history." The book is published by the Harvard University Press and was printed by the William Byrd Press.

Two scholarships of \$75 each were made available by Matthew Bender & Co. for the Law Librarians' Institute which was held from June 29 to July 3, 1953 at the University of California at Los Angeles under the sponsorship of the American Association of Law Libraries. Scholarship applications were invited by the University Extension Division of the University. The Planning Committee which was appointed by the University Extension Division selected Mortimer Schwartz, Librarian of Montana University Law School Library, and Francis B. Waters, Legal Reference Librarian of New York University Law Library, as the recipients of the scholarships.

New library buildings and their outstanding features are the subject of a critical discussion in the April issue of College and Research Libraries. Some of the reviewed buildings are constructed under the modular plan. The advantage of airconditioning, the practical arrangement of contiguous library facilities, lighting, safety measures, staff and first aid rooms, and the accoustical treatment of library rooms are some of the problems which are discussed in these articles.

The Library of Congress has announced the publication of the second 5-year supplement to the Catalog of Books Represented by Library of Congress Printed Cards which was published between 1942 and 1946. The first quinquennial supplement covered the period from 1942 to 1947 and was published in 42 volumes in 1948. The second quinquennial supplement will consist of 24 volumes covering the period from 1948 to 1952 and will reproduce 600,000 catalog cards. Publication is expected to be completed in the fall. Orders for the second quinquennial supplement should be placed with J. W. Edwards, Inc., Ann Arbor, Michigan.

The List of Current Publications which was published by Duke University Law Library, has been merged into the new Current Publications in Legal and Related Fields.

Howard L. Stebbins, Librarian of the Social Law Library, suggests that readers correct the checklist of the Massachusetts Law Quarterly in 40 Law Library Journal 25 (1947) by noting that vol. 25 no. 1, preliminary supplement, consists of parts 1 and 2 in two separate pamphlets, rather than in one as listed in the checklist.

The Midwest Inter-Library Center at Chicago has received several sets of briefs filed in state and federal courts from the Chicago Bar Association Library. At the present, the following sets of United States Court of Appeals records and briefs are available in the Center for use in libraries which have loan or interlibrary loan arrangements with the Center: Second Circuit, 1952 to date; Third Circuit, 1930 to date; Sixth Circuit, 1928 to date; Ninth Circuit, 1930 to date.

The Report of the Librarian of the New Mexico Law Library for the fiscal year ending June 30, 1952 was recently published in brochure form. Of 1,287 bound volumes accessioned, 564 were acquired by purchase, 354 by exchange, 121 by gift and 248 are depository volumes. During the last four and a half years, 5,276 bound volumes were accessioned and twenty sets of periodicals were completed by exchange and purchase. A complete inventory of all bound volumes was undertaken for the purpose of having multiple copies of records available as a safety measure and for the additional purpose of spotting weaknesses in the collection. The total of the bound volumes is reported as 54,253 and the circulation as averaging 14,836 books per year.

The Library of Congress has continued the publication of Serial Titles Newly Received under the title New

Serial Titles, starting January 1, 1953. The new publication will be cumulated in annual volumes and is intended to serve in the nature of a supplement to the Union List of Serials and the First and Second Supplement thereto by indicating the acquisition of new titles by cooperating libraries which, however, until now are few in number. It has been decided to list serials which began publication after December 31, 1949 although they were received prior to 1953 provided that libraries are willing to report them; however, previously unrecorded titles which began publication before 1950, will not be listed.

According to the Annual Report of the Librarian of Northwestern University School of Law for the fiscal year 1951-52, great strides have been made in the recataloging and rehabilitation of the collection. A total of 6,836 volumes was treated with leather preservatives or was repaired and 2,002 volumes were rebound. 17,358 volumes were reclassified and recataloged. Library purchases are financed out of special funds to a considerable extent. 1,920 volumes were acquired with means from the Wigmore Fund and 14 memorial books were placed into the collection under a program which calls for personal letters to be written by the President of the University to the nearest relative of a graduate upon the latter's death with the purpose of advising the recipient of the letter that a book may be placed into the library collection as a memorial to the decedent.

Publishers Weekly lists 76 new law

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books as having been published in the first quarter of 1953, as compared with 65 in the same quarter of 1952.

Statistics concerning the placement of librarians who graduated from library schools in 1952, are published in an article by Donald E. Strout in 78 Library Journal 952 (June, 1953). Of a total of 1,370 library school graduates of whom data are available, 13 were placed in law libraries. Library schools reported low starting salaries for their graduates as ranging from \$1,000 plus room and board to \$3,250 and high starting salaries from \$3,250 to \$8,360. The "overall beginning salary" is stated to be between \$3,350 and \$3,400. The prevailing beginning government salary is given as \$3,410. While some of the high starting salaries are paid to librarians who used their library schooling as in-service training, some of these salaries were paid to persons without previous professional library experience. The demand for catalog and special librarians continues to outrun the supply.

Because of the recent Congressional inquiry into pocket book publications, it may be of interest that the major pocket book publishers have issued only two law books to date. Max Radin's The Law and You was published in 1948 in the Mentor Books Series of the New American Library of World Literature, Inc., at the price of 35 cents. This volume is now out of print. Samuel G. Kling's Handy Legal Adviser is published by Permabooks, Doubleday & Company, Inc. It was first issued in 1951 and reissued in 1953. The price of this volume is 35 cents.

A Workshop on the Core of Education for Librarianship is scheduled to be held at the University of Chicago Graduate Library School from August 10 to 15. The purpose of the Workshop is to define a core of training which all librarians need regardless of their specialization.

The Federal Trade Commission held a trade practice conference in New York City on April 7 with a view of establishing trade practice rules for the library binding industry. Rules of this kind are intended to be a binding explanation and restatement of existing legal provisions, but cover at times subjects which are not touched upon by provisions of existing statutory and case law. The suggested rules were prepared by the Library Binding Institute which counts 45 library binders in 18 states of the United States and in Canada as its members out of an estimated 185 major library binders in the country. The rules, as drafted, provide for the determination of misrepresentations, misleading guarantees and warranties, deception, selling-below-cost, defamation of competitors, unlawful interference with purchases or sales by competitors, exclusive deals, tie-in sales and other practices as unfair trade practices. Under the projected Rule 17, public libraries and other specified institutions would be exempted from the prohibition against discriminatory practices in the purchase of supplies.

The advertising pages of this issue contain numerous offers of unusual services to law libraries by publishers and dealers in new, old and second-hand law books.

## MEMBERSHIP NEWS

Mrs. Huberta A. Prince, Librarian of the Law Division of the Army Library in Washington, D. C., left on May 6 to make an official inspection of a number of European field law libraries of the Department of the Army.

Miss DOROTHEA BLENDER, Assistant to the President of Commerce Clearing House, Inc., has been elected President of the National Association of Women Lawyers.

PAULINE E. GEE, of the Yale Law Library, was recently married. She is now Mrs. Wildman, though it is reported she will continue as Miss Gee "professionally".

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The twenty-first meeting of the CAROLINAS CHAPTER will be held in Chapel Hill, North Carolina, on September 9 to 11, 1953, at which time the Southeastern Conference of Law Teachers is also meeting there. The chapter is inviting the law librarians of the Southeast to attend this meeting and discuss the possibility of forming a regional chapter. The tentative program includes a business meeting, social activities and a workshop on library problems, covering two main topics: Streamlining Records and Routines, and Regional Cooperation Between Law Libraries.

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Members who have recently joined the Association are as follows: Mrs. Nancy C. Duncan, of the firm of Farrand and Farrand, Los Angeles, California.

Mrs. Doris M. Hagen, Stanislaus County Law Library, Modesto, California.

Mr. Fred Karpf, Research Assistant in the Law Library, Library of Congress.

Mrs. ELSIE E. RICHARDS, Kern County Law Library, Bakersfield, California. Mrs. Richards is known to the readers of the Law Library Journal as the author of an article entitled Law Library—Post Earthquake (46 Law Library Journal 29, 1953).

Mr. John D. Vanston, Lackawanna Bar Association, Scranton, Pennsylvania.

Mr. Edwin F. Vaught, University of Texas Law Library, Austin, Texas.

Miss PAULINE E. WEBBER, Stark County Law Library Association, Canton, Ohio.

Mrs. NATALIE E. OSTRANSKY, Pierce County Law Library, Tacoma, Washington.

Mrs. Ostransky writes that she is a native of Michigan and a graduate of Western Michigan College in Kalamazoo. She was appointed Librarian and Judges's Secretary in October 1950.

Miss MILDRED RUSSELL, Legislative Reference Section of the Law Divi-

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sion of the Army Library, Arlington, Virginia. Miss Russell received her B. A. degree from the College of William and Mary. She has attended Brooklyn Law School and in 1949 was graduated with a library degree from Pratt Library School in Brooklyn. She has been employed in the Municipal Reference Library of New York City and served as Librarian for one year in a Maryland High School.

She was appointed to her present position in September 1950.

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Mr. Howard Jay Graham, Bibliographer of the Los Angeles County Law Library, has received a Guggenheim fellowship for one year, starting in August. Mr. Graham will continue his studies on the Fourteenth Amendment.

## **BOOK REVIEWS**

A History of English Law, Vol. XIII, by Sir William Holdsworth, edited by A. L. Goodhart and H. G. Hanbury. London: Methuen & Co., 1952. Pp. xlviii+803. 70s.

W. S. Holdsworth began his monumental history of English law in 1903. He intended to follow his introductory volume on the judicial system as a whole with one or more devoted to each of the major periods of English history. Each period was to be covered by a section on the sources and general development of the law and by another devoted to the rules of law-the development of legal doctrines both procedural and substantive. When he died in 1944, Sir William had reached the nineteenth century and was within sight of his goal, the adoption of the Judicature Acts of 1873-5. Material for the last two volumes was in an advanced state of preparation. So his literary executors, two fellow Oxford professors of law, have undertaken to complete the work.

The volume under review, all done by Holdsworth except for two short passages, is devoted to a review of the sources and development of English law during the period from 1793 to 1832. It is the fourth volume devoted to this aspect of the era from 1701 to 1875. Since only a portion of the final volume was reserved for a treatment of the development of rules of law during these years, readers familiar with the earlier volumes of the series will see that toward the end Holds-

worth departed from his earlier practice and allowed the background section of his work to expand until it was out of all proportion to the companion one. To a considerable extent the professional legal historian in the author seems in his later years to have been overshadowed by the adherent of the Conservative Party and the amateur student of intellectual trends.

The first quarter of the volume is devoted to a review of the lives and writings of such authors as Thomas Paine, William Godwin and Jeremy Bentham. The succeeding hundred pages summarizes the political and constitutional history of the troublesome period from the French Revolution to the first Reform Bill. Only then are we given the details of the movement for reforms in the law, summaries of the chief changes in the enacted law, descriptions of the reports of the period and finally chapters devoted to the common law, equity and civil (admiralty and ecclesiastical [sic]) law. In the case of both the common law and equity an attempt is made to describe the literature of the field as well as some of the more notable practitioners (mostly judges) and their contributions. This bibliographical and biographical treatment naturally makes the following of the development of any one legal doctrine during these years extremely difficult. A full and thorough subject-matter index affords some help with this problem, however.

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Further consolation for the emphasis on biography in this volume may be found in the fact that the relatively few years covered by it saw the flowering of the careers of three outstanding legal figures: Lord Erskine, "the greatest advocate who has ever practised at the English bar" (p. 580), Lord Eldon, "the third of three great Chancellors [Nottingham and Hardwicke were the others] who have created our modern system of equity" (p. 627), and his brother, Lord Stowell, Judge of the Court of Admiralty 1798-1827, "the greatest of all civilians in the whole history of English law" (p. 668).

Librarians should be particularly interested in the annotated table of English reports for the period given on pages 428-434. This entire chapter (pp. 424-444) in fact, together with the later sections on legal literature already mentioned, affords a most useful reference guide to publications of the time. Pages 443-444 list contemporary abridgments, digests, legal dictionaries, a glossary of foreign legal terms and an index to precedents in civil and criminal pleading. Another item which may be of professional interest is the fact that the binding on this volume of the London edition is not so substantial as that on earlier ones in the American edition issued by Little, Brown & Co.

The general reader should be heartened by noting how the vitality and fundamental tolerance of the liberal tradition reasserted itself when the threat of foreign war was ended. The early pages of this volume are filled with examples of all-too-familiar repressive actions induced by popular hysteria. Agents of a voluntary protective organization were accused of employing intimidation, anonymous information and "something like subornation of perjury" (p. 161) to suppress reforming sentiments. Eventually it became illegal "to stir up the people to hatred and contempt ... of the government and constitution of this realm as by law established" (p. 208). But with Napoleon defeated and the fear of invasion safely past, tempers gradually cooled and attitudes changed. By 1832 the great modernization of the electoral system had begun and an era of drastic legal reform was also dawning.

MARSHALL KNAPPEN
University of Michigan
Political Science Department

Strikes: A Study in Industrial Conflict. By K. G. J. C. Knowles. New York: N.Y. Philosophical Library, 1952. pp. xiv, 330. \$8.75.

A hasty perusal of this book, interrupted by the occasional close reading of fairly long passages here and there, reminds me of a story I recently heard. The lady in charge of a children's library thought it would be desirable to secure opinions from her young readers about the books they had taken out. She asked every child to write his evaluation of each book on a slip of paper to be left in the book when it was returned. One young girl brought in a book with the following observation written down: "This book contains more than I care to know about penguins." At any rate, I am willing to concede that Mr. Knowles has included within two covers practically-or should I

say theoretically--all there is to know about strikes.

It is, of course, impossible for a lawyer to understand strikes for what they really are unless he has been closely associated with a few. Certainly the lawyers made a dreadful botch of trying to comprehend and control this very human aspect of industrial behavior. Personally, I think that the Anglo-American judicial handling of strikes during the nineteenth century was simply a reflection of dominant political strength residing in the hands of the owners and managers of property. Strikes as invasions of the right to enjoy property and to set it to its most productive uses were most easily dismissed as pernicious conspiracies— virtually as revolutions on a small scale against the accepted social system. Naturally such interferences with the dominant order were called "illegal" by the appointed representatives of that order! Oddly enough, the change which gradually came at common law-at least in the United States-whereby some strikes were conceded to be lawful, according to the acceptability of their purpose, was wrought in part by analogy to the law of the jungle originally conceived on behalf of businessmen under the name and legal defense of "competition". Specifically, this observation has reference to conflicts between certain groups of laboring men for the control of work opportunities.

The real explanation for the change rendering strikes lawful was unquestionably the awkward fact that the ruling cliques, as they were represented not only in trade and poli-

tics but also on the bench, simply could not keep the lid on any longer. Moreover, both England and the United States purported to afford their citizens rather comprehensive personal liberties about working and not working; and they were having a hard time making anyone believe that the freedom of workers to join up and act together was not included in these broad guaranties. The accepted system perfectly rationalized the combination of capital and people for the purposes of forwarding the ends of commerce and industry. Yet the same system would require the workers to bow to the policies thought essential by free enterprise on the business side of the fence. Unpropertied wage earners, for reasons good and sufficient to themselves, stubbornly refused to give in to this scheme. And when they won their fight for the right to form unions and to strike, the impetus of their struggle carried them far beyond the point at which they needed to arrive for the purpose of mutual protection against what they called exploitation by the employers. Today they enjoy monopolistic power never conceded to industry at large; and in using it as they do, organized workers have far exceeded the goal of equal bargaining power to insure fair treatment. But, then, who can agree on what is "fair" in a world like ours?

Mr. Knowles portrays competently and thoroughly the history of the strike and of the related variations on the self-help theme traditionally employed by organized wage earners. Perhaps the bitterest of these manifestations concerned the attempts of

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workers to organize in the first place. Certainly that was true in this country, if not in England. And Mr. Knowles enlarges considerably on the techniques of striking employees in the bargaining process itself. I thought the most interesting part of his somewhat rambling treatment was a detailed account of the causes of strikes -what men strike for. It is not at all just for higher wages, apparently, but almost more basically for the achievement of an organization to prevent workers from being pushed around, patronized and treated like so much raw material. Then also there is apparently the psychological asset of being able to tell the big boss to go climb a tree, as well as the sheer animal joy of exuberantly flexing one's economic muscles and being able to get away with it, almost regardless of the consequences as long as the boss is impressed and, perhaps, somewhat cowed. Mr. Knowles' discussion of "controls" over the strike was, I thought, rather pedestrian and uninteresting; and his account of the consequences of strikes was largely a matter of compiling statistics. I forgot to say in the first place, I'm afraid, that Mr. Knowles is a statistician. Of course, I have no way of judging this discussion of consequences; but it was quite interesting to read some of Mr. Knowles' interpretations and speculations. He has apparently done a good deal of investigation on this phase of the strike and has come up with some searching observations.

It is not easy for me to evaluate this book in sympathetic terms. Probably it would be of considerable value to a student of labor unionism who

was not familiar with labor union and employer personalities and with the constant clashes between them. But I cannot believe that this book would be of much value to an American lawyer concerned with labor relations problems or, for that matter, to employers or union officials. They would, of course, find a discourse on the subject of the strike at a fairly high level; but I can't believe that they would discover anything very new in the book. And my personal opinion is that many of these people whose everyday work brings them into pretty close contact with strikes could tell Mr. Knowles some things which he has never come across in the hundreds of books, articles and pamphlets that seem to have formed the basis of his research. These people, unlike Mr. Knowles, to be sure, would not have at their command his philosophical approach and certainly would not be adept at the art of statistical analysis of effects. And yet I cannot help but think that many of them would be more than mildly interested in Mr. Knowles' book and would certainly profit by the perspective which it would no doubt give them on one of their staples in trade, even if it would puzzle them at times by its occasional ingenuousness and abstruseness. Surely it would be worth the while of labor relations people in this country to find out something about the educated English point of view concerning this almost universal manifestation of modern industrial societiesthe strike.

> CHARLES O. GREGORY University of Virginia

Tax Court Digest, compiled and edited by Lois G. Moore. Indianapolis: Bobbs-Merrill Company, 1952-53. 13 v. \$200.00.

To the lawyer who has anything to do with federal taxes, access to the decisions of The Tax Court of the United States and its predecessor, The Board of Tax Appeals, is indispensable. Dealing with a federal tax problem, his first concern will in most cases be to inquire what the Tax Court or the Board has had to say about it. If he finds an answer in the Reports of the Tax Court it is easy to ascertain whether the rule stated has been followed or rejected by any of the Courts of Appeals, or by the Supreme Court of the United States.

Speaking of the Tax Court, the Supreme Court, in *Dobson v. Commissioner*, 321 U.S. 489, says (p. 498):

The court is independent, and its neutrality is not clouded by prosecuting duties. Its procedures assure fair hearings. Its deliberations are evidenced by careful opinions. All guides to judgment available to judges are habitually consulted and respected. It has established a tradition of freedom from bias and pressures. It deals with a subject that is highly specialized and so complex as to be the despair of judges. It is relatively better staffed for its task than is the judiciary. Its members not infrequently bring to their task long legislative or administrative experience in their subject. The volume of tax matters flowing through the Tax Court keeps its members abreast of changing statutes, regulations, and Bureau practices, informed as to the background of controversies and aware of the impact of their decisions on both Treasury and taxpayer. • • •

Tax Court decisions are characterized by substantial uniformity.

The Court then goes on to point out that to achieve uniformity among the courts of appeals of ten circuits and the District of Columbia by resolving such conflicts in the Supreme Court "is at best slow, expensive, and unsatisfactory."

Although the specific holding involved in the *Dobson* case has been overruled by statute, the Court's comments on the work of the Tax Court remain fully apropos. They constitute a recognition by the Supreme Court of the fact stated by Dean Griswold of the Harvard Law School in a 1950 address, that "a much larger part of our tax law is hatched in the chambers of the Tax Court on Constitution Avenue than in the house of the Supreme Court on Capitol Street."

Immense as the output of the Tax Court is, and significant as its work in the interpretation and enforcement of the tax laws must be held to be, the fact is that its impact on the administration of the tax laws cannot be measured by its actual decisions whether "memorandum" (and therefore theoretically unpublished) or "regular" decisions. Even casual observation of a few sessions of the Tax Court in any particular locality will convince the observer that placing a case on the Tax Court calendar is in the great majority of cases a prelude to settlement of the controversy. In arriving at such settlements, counsel for the taxpayer and for the government take into account what they believe to be the likelihood of success in the Tax Court, their views being based upon their study of its decisions in any way related to the pending controversy.

In resolving problems arising under

<sup>1. \$ 1141 (</sup>a), I.R.C., as amended in 1948.

state tax laws, particularly those relating to income taxes, cases construing corresponding provisions of the federal laws are frequently the only available guide. Here again the Tax Court reports often supply the only precedents in existence, applicable to the problem.

The foregoing introduction has been considered neces ary in order to emphasize the initial premise of this review, namely, the importance to the practitioner of a ready means of access to Tax Court decisions. Such a means, additional and supplemental to the existing tax services, has now been provided by the encyclopedic work which is the subject of these comments. The author, Lois G. Moore, has lived with the Tax Court and its predecessor, The Board of Tax Appeals, since the latter's inception in 1924. At an early stage, Miss Moore formed the habit of making a card index of decisions as they came down in order to make them available to the members of the Board of Tax Appeals. With the constantly mounting number of cases coming before the Board and the Court for review, this index became increasingly valuable to those privileged to use it. Through good fortune and the enterprise of the author and publishers, it is now made available to the legal profession and to all who have to do with federal taxes.

A word as to method and arrangement. The arrangement is alphabetical, according to subject matters. Each general heading is followed by an analysis, also in alphabetical form. The first subject matter is Accrual Method with various subheadings.

Looking on down the list, we find among others the headings Cash Receipts and Disbursements Basis, Change in Method, and so on down to Separate Businesses, the last heading listed under this general topic. Anyone looking for decisions relating particularly to accounting methods affecting, for example, Public Utilities, Railroads, etc., will find them under their appropriate headings.

Volumes 2 to 4 contain headnotes to the decisions on the highly important subject of Deductions, these in turn being broken down into alphabetical subheadings beginning with *Alimony* and ending with *Year*.

Suppose the question involves Estate Tax. The decisions relating to this entire subject will be found under one general classification. The same is true of decisions relating to the general subject matter of Estates and Trusts. The headnotes of decisions on these two subjects fill one entire volume of the Digest.

When a Tax Court decision relating to a particular subject matter has been found, the researcher's first inquiry is what if anything happened to it on petition for review, if a petition was filed. Where the Board or Tax Court decision has been reviewed by a Court of Appeals, that fact is stated in a note following the digest paragraph, thus enabling the researcher to tell at a glance what the subsequent history of the case has been. Whether the case reached the Supreme Court and if so, its fate there, is also reflected. Acquiescence or non-acquiescence of the Commissioner will be shown in the index volume.

The arrangement by subjects, referred to above, of course differs from the arrangement in the tax services, which classify their material according to Code sections.

Two volumes still to be published (in addition to the eleven volumes now, April 1953, off the press) will include Tables (vol. 12) and an Index (vol. 13). This will facilitate access to the material collected, whether the researcher starts with a specific case, a Code section, or only a question to be resolved. A case in point being found, the table of cases in volume 12 will point to the other cases in the Digest dealing with the same subject matter, also to coordinate paragraphs of the Commerce Clearing House and Prentice-Hall tax services. The Digest will be kept up to date by pocketpart supplements, issued bimonthly.

In making her index available to the Bar, Miss Moore has rendered a public service. It is to be hoped that the response on the part of the Bar and others interested in federal tax matters will be such as to justify the immense expenditure of time and labor that has gone into the preparation of this useful work.

WALTER L. NOSSAMAN

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Accounting for Lawyers, by A. L. Shugerman. Indianapolis, The Bobbs-Merrill Company, Inc., 1952. pp. vii, 592. \$15.00.

Lawyers' Accounting Handbook, by Christian Oehler. New York, Matthew Bender & Company, 1952. pp. vi, 915. \$15.00.

These two books are recent additions to the increasing amount of

accounting literature prepared especially to meet the needs of lawyers and law students. As judged by this reviewer, each of these books serves a different function. Shugerman's book is for the uninitiated lawyer or law student who has had little or no prior acquaintance with accounting theory or practice. In it the author adroitly leads the reader step by step through the fundamental principles and basic concepts of accounting. Oehler's book on the other hand is designed for the lawyer or law student who has previously acquired a basic understanding of accounting. This difference, in general, is marked by the organization of the two books. Shugerman's text is divided into three parts: basic concepts and procedures (Chapters 1-12); financial statements (Chapters 13-22); and business associations and legal relationships (Chapters 23-28). Oehler's handbook is organized under five major divisions: the accounting process (Part A, 11 chapters); the bookkeeping process (Part B, 5 chapters); the auditing process (Part C, 6 chapters); preparation of tax returns (Part D, 6 chapters); and estate accounting (Part E, 7 chapters). A specific illustration will serve to point up the variance in approach. In the first part of his handbook, and beginning with Chapter 6 therein, Oehler deals with statement analysis and interpretation. In Shugerman's text, treatment of these problems is deferred to Chapter 22 and, in sequence, follows a thorough development of the fundamentals of accounting and a comprehensive coverage of the structure of financial statements.

Shugerman presents a scholarly development of the theory underlying established accounting practices. His book provides an excellent explanation of the "whys" of accounting. By comparison, Oehler's Handbook, as the title denotes, may best be described as a "how" book—a book which illustrates how accounting transactions are recorded and reflected in the financial statements with a minimum of explanation, the assumption being that the reader already possesses a basic understanding of the accounting "whys."

The style of the two books also presents an interesting contrast. Oehler's materials are presented in plain matter-of-fact language whereas Shugerman has embellished his text with picturesque expressions and metaphors which lighten the discussion of the technical problems presented. The following excerpts are illustrative of the Shugerman style:

Net worth is a polysided object, whose appearance depends largely on the angle at which it is viewed. From a distant, broad perspective viewpoint, net worth is a buffer that receives the owner's initial investment and records the profits and losses thereafter. It expands with profits, contracts with losses, and is capable of infinitely great changes in both size and structure. It is born with the business' founding, dies with its dissolution, and forms a ductile hunk of economic protoplasm between these two dates. It is, indeed, a useful and long used accounting concept, and one of the indispensable tenets of accountancy practice.

Partnership accounting lends itself admirably to a discussion from a biological point of view, and this will therefore be the general explanatory approach. Thus, the formation (or birth) of a partnership will first be considered. Secondly, its operation (or life-span) will be discussed. Finally, the dissolution (or death) will be presented. In substance, the partnership will be traced from its cradle to its grave.

Shugerman not only presents a scholarly treatment of accounting fundamentals, but also incorporates at appropriate points throughout pertinent regulations of the Securities and Exchange Commission and related materials on income taxation. This is particularly helpful. The informed lawyer must be fully aware of the SEC regulations which bear upon current accounting practices. Since tax problems loom at every turn, integration of the income tax statutes and regulations and the emphasis placed upon the variations between sound accounting practices and the requirements of the federal income tax warrant the lawyer's enthusiastic commendation. Illustrative of the latter are the materials pertaining to the differences in the accounting and tax treatment accorded amortization of the cost of intangibles and reserves for contingent liabilities. At another point Shugerman includes an informative discussion of Eisner v. Macomber and the problem of taxation of stock dividends. But his interweaving of accounting and law is not limited to SEC and income tax matters. Among other items there is a lucid discussion of the problem of depreciation in relation to reproduction costs and their effect upon the establishment of public utility rates. Another example is to be found in his succinct discussion of the balance sheet presentation of treasury stock in the light of local corporation law.

Oehler's handbook, in the first two parts, provides a fairly concise review of accounting procedures. In addition, his book includes certain information which is not found in the Shugerman text. For example, Oehler demonstrates the necessity for audited financial statements and illustrates by use of a simple problem the kind of errors and discrepancies which an audit may disclose. This assists the attorney in an understanding and appreciation of the function of the auditor in the development and presentation of adequate and reliable financial data.

The Oehler materials on the preparation of tax returns include completed specimen returns for the individual, partnership and corporation for the year 1950. By reason of subsequent changes in tax laws and tax forms, these materials are to a certain extent somewhat obsolete. The division on estate accounting includes a completed specimen federal estate tax return which should prove helpful to one who has had no previous experience in its preparation. The problem employed as the basis for the specimen estate tax return involves the determination of a marital deduction which is contingent upon both the state inheritance tax and the federal estate tax. This computation involves the use of simultaneous equations and presents a troublesome mechanical problem which is frequently encountered today, particularly in estates involving wills which were executed prior to the adoption of the marital deduction provisions. An illustration of the actual mathematical computations leading to the determination of the marital deduction would have served a very useful purpose. Regrettably, the author failed to include these materials. Although there is a division on the preparation of income

tax returns and one on estate accounting, no materials are included with reference to the fiduciary income tax return. This omission leaves an obvious gap. The organization of the index is objectionable; for it is divided into separate parts which correspond to the major divisions of the text.

In the treatment of financial analysis, Oehler's handbook is to be preferred since his materials on this subject are much more fully developed. One particularly important item omitted by Shugerman but included by Oehler is the statement of application of funds. This statement is highly significant in financial analysis and should not be omitted from an accounting text designed for the use of lawyers.

In conclusion, from the standpoint of law library acquisitions, these two volumes complement each other in several respects and each has its place in the full development of accounting information for the lawyer and the law students.

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The Lawyer's Investment Manual, by Kenneth Redden and Alexander V. Thelen. Charlottesville, Virginia, Michie Company, 1952. pp. 358. \$10.00.

If the ancient cliché that lawyers are bad businessmen is based, in part, on their lack of knowledge of securities and the operation of the securities market, the Lawyer's Investment Manual stands as a brave attempt to supply the legal profession with practical working tools in the investment field. The co-authors, Kenneth

Redden (who is professor of law at the University of Virginia) and Alexander V. Thelen (an experienced lawyer and stock broker), collaborated in assembling the volume for the purpose of giving attorneys an understanding of the modern securities market so that they may more satisfactorily solve their clients' and their own investment problems. Substantively, the book is a collection of some twenty articles, pamphlets and charts previously prepared by experts in particular fields, but synthesized and, in some cases, rewritten by the authors in order to secure uniformity of treatment.

The approach and scope of the book is best revealed by the table of contents: Understanding the Modern Securities Market, Recognized Exchanges or Markets, Mechanics of Making a Trade, Some Major Types of Securities, Watchdogs of the Securities Field and Making Investments Intelligible. Each of these broad subjects is appropriately brought to life by full discussion and additional supporting bibliographical material dispersed throughout the text. For instance, the chapter "Making Investments Intelligible" attempts to take the mystery out of corporate financial reports by providing some practical and simple rules of thumb which, when applied by the ordinary lawyer, will help to indicate the soundness of the corporation's position. The tax aspects of security transactions, discussed in the chapter "Mechanics of Making a Trade", should be of particular interest to the lawyer and attempts to warn against some of the tax pitfalls and to suggest practical solutions to tax problems. A glossary, containing the popular jargon used in financial circles, and an appendix of statistical material (such as list of long-term dividend paying companies, fifty favorite securities of investment trusts) concludes the Manual.

The book is certainly a most valuable text in deliniating the complications of security transactions; but there is little to indicate, except the title, that it was written particularly for lawyers or that its admitted value is exceptional to the legal profession. It may be doubted that it is generally wise for the practicing attorney to attempt independent valuation of securities. In our urban centers, where the bulk of such transactions occur, many expert services are available which the attorney should certainly employ. Nevertheless, although investment and security transactions may not be strictly legal operations, they are closely related to the practice of law and often require intelligent scrutiny by the lawyer in filling his investment portfolios for trusts or estates of his clients; and to the extent that the Lawyer's Investment Manual assists in providing a general understanding of the investment process and market practices, it is a basic and helpful volume.

ARTHUR W. FISKE

The Subject Analysis of Library Materials. Edited, with an Introduction, by Maurice F. Tauber. New York: Columbia University School of Library Service, [1953]. pp. iv, 235. \$2.75.

Among the publications on the subject control of recorded knowledge, a

field which recently has attracted renewed interest on the part of both librarians and scholars, this represents a major contribution. Assembled in the volume are nineteen papers presented at an institute held in June 1952 under the sponsorship of the Columbia University School of Library Service and the A.L.A. Division of Cataloging and Classification. In addition to the presentations at the institute, there is a general introduction by the editor summarizing the discussions and a brief paper by C. J. Frarey, "Practical Problems in Subject Heading Work." The discussion falls into six parts: Introduction, Classification, Subject Headings, Special Approaches, The Users, Production of Subject Guides, and Practical Applications.

In the introductory part, W. E. Wright treats of the historical aspects and purposes of the subject approach to knowledge in their manifestations as classification systems, as subject headings for library catalogs, indexes, and bibliographies, and the invention of mechanical devices for assembling and scanning information. His conclusion is that there is no single method equally satisfactory for all types of informational materials or to specialists in different fields of knowledge.

In the section on classification, Leo LaMontagne traces the influence of various systems of classification on the evolution of library classification in America; he succeeds in presenting, in a very readable style, the historical development of classification and the numerous attempts at encompassing human knowledge in definite cate-

gories. J. H. Shera, discussing functions of classification and its application to the subject analysis of library materials, restates the properties and definitions inherent in traditional library classification and what he considers its principal weakness: its linearity, inconsistency of organization, inherent incompleteness, and complexity. He sees a need for a system of classification which will disclose the multiple relationships of ideas, and therefore calls for the divorcement of bibliographical classification from books as physical objects in favor of the analysis of ideas, or constituent "thought units", contained in books.

Subject headings are discussed in papers dealing with their principles and development (D. J. Haykin), their application and limitations in the fields of the humanities (G. D. Mc-Donald), the social sciences (Alex Ladenson), and the pure and applied sciences (F. B. Rogers), and in a paper by Margaret E. Egan on the needs for, problems of, and relationships to general subject headings, of subject headings in specialized fields. Much is made in these papers of the relative merits of direct and inverted headings, of popular and technical terms, of the intrusion of elements of classification into systems of subject headings, and of the optimal degree of specificity of subject headings in their application to various concepts. On the latter point, several of the speakers refer to degrees of specificity as if subject headings were per se more or less specific, failing to recognize that every term is specific in regard to its precise meaning. The specificity of a

heading cannot be gauged in abstracto but only in relation to the content of the work to be cataloged; in this respect, a heading is either specific or not specific: specificity is not subject to gradations. If a book which in its entirety treats of a narrow topic is entered under a broad term with an indefinite meaning, such treatment causes waste of time and annoyance not only to the person interested in that topic but also to him who looks for inclusive material on a broad subject and finds under it works limited to subordinate aspects. Conversely, a multitude of narrow headings may describe the subject of a work less specifically than a broad term, especially if they do not add up to the scope of the latter. Harry Dewey points out, in his paper on the classified catalog (p. 127) that a book on railroad stations ought to be found under that term rather than under PUBLIC BUILDINGS no matter whether it belongs to the collections of a large or a small library, and thus shows the fallacy of the assumption that a small library's needs call for a list of subject headings different from that for a large library and limited to relatively broad headings. The same reasons point to the limitations of any pre-established list of subject headings.

Margaret E. Egan, in a somewhat overwrought style, considering the purpose of her analysis, finds that structure and terminology of subject headings should reflect the particular patterns of special fields of knowledge as well as the interrelationships among them, and the differentiation between technological, operational,

and environmental-descriptive types of literature. She notes a shift from abstract and classificatory to concrete and specific terms in subject headings, a trend from describing the subject of a work as a whole to analyzing its constituent parts, and the development of special lists limited to particular fields of knowledge. The latter trend would seem to result, in Miss Egan's opinion, from the different patterns of analysis followed in general and special libraries, one arising from the characteristics of the literature analyzed, the other from those of the environment (i.e., special interests of the community of users) in which that literature is read. Without exemplifying her proposal, Miss Egan advocates that the two patterns be coordinated.

The part on "Special Approaches" covers discussions of the relative value of alphabetical subject catalogs and classified catalogs (K. L. Taylor), the practical aspects of the classified catalog (Harry Dewey), the ever-present question of the relations between subject catalogs and bibliographies (Wesley Simonton), and problems of subject analysis in cooperative cataloging (V. W. Clapp). Dewey points out the superiority of close over broad classification in a classified catalog, an argument borne out by the practice, reported by Taylor, of the John Crerar Library which has found it necessary to offset the shortcomings of certain broad classes through what in effect constitutes a partial alphabetical subject catalog embedded in its index to the classed catalog, in order to enable a reader to find the specific topics or groups of topics which would otherwise be lost among several hundred

titles classed under one broad caption. Other significant points touched upon in the various papers are: (1) the fact that close subject analysis through a classed catalog obviates the need for reflecting the classification in the arrangement of the books on the shelves; (2) the fact that the dictionary (or alphabetical subject) catalog as "the product of our present practical civilization with its extreme specialization and its impatient demand for quick results" (Pettee, as quoted by Taylor, p. 110) is not necessarily the best tool for the satisfaction of these demands if the most authoritative statement on the subject matter is wanted, and entirely inadequate when the topic sought is represented in other than monographic form; (3) the characterization as a myth of the belief that the classified catalog per se is more difficult to consult or more confusing than the alphabetical subject catalog; in the latter, confusion is often hidden and therefore more dangerous. The merits of the classed catalog should hardly be attacked by those who persist in advocating a classified shelf arrangement. It might be added that the relative utility of a classed or an alphabetical catalog depends upon the degree in which tradition of teaching and scholarship has developed a classification of individual disciplines. Wherever the subject matter of research and its methods fall into welldefined, traditional patterns, the approach to the literature of that area of knowledge will be sought in the framework of these patterns or categories, and the user will be better served through a classed catalog than

through the amorphous particles of an alphabetical subject catalog. However, these patterns vary not only from discipline to discipline but also within the local development of the same discipline; while classification provides a much easier approach to the subject analysis of the literature of foreign civil law than alphabetical subject headings, the amorphous growth of the literature of Anglo-American common law has thus far defeated any attempts at a generally accepted classification of legal concepts. It is regrettable that the discussions of classified and alphabetical subject catalogs are still carried on as if they were mutually exclusive alternatives; it would be more fruitful if it were recognized that each serves different and partially irreconcilable ends, and if, instead of the passionate defense of one against the other, an attempt were made to accept both and to delineate their respective functions.

The possibilities of cooperative subject analysis are explored, and their limitations pointed out, by V. W. Clapp. Any such cooperative undertaking requires that the objective of the participants be the same and the techniques used be adequate. If each participant persisted in using words or phrases with varying significance in the terminology of different disciplines in the particular meaning they convey in his field of specialization, chaos would result. The requirements for successful cooperative subject analysis are, therefore, agreement on definitions and elimination of ambiguity in subject headings. Clapp proposes that cooperation

could be extended between subject catalogers of books and the various bibliographical services providing content analysis such as *Physics Abstracts*, by the development of a standard list of subject headings for general use at a particular level, with interlocking (and compatible) lists for more specialized use or more intensive analysis.

In the chapter devoted to "The Users", C. J. Frarey summarizes and evaluates twenty-seven studies made since 1930 on the use of the subject catalog. Jean K. Taylor comments on subject analysis from the point of view of the public reference librarian, Ruth M. Erlandson from that of the academic reference libarian, and A. T. Hazen from that of the research user. The latter emphasizes a point touched upon by Ladenson, namely that primary source materials are often consulted for subject matter not disclosed by subject headings and that secondary source materials whose subject matter is satisfactorily conveyed by the headings assigned, may be used as primary sources for research in an area for which the subject headings, though proper as such, are of no use whatever.

The last section, "Production of Subject Guides", includes a paper by J. W. Perry on mechanized aids to collecting published information, and the use of subject headings in coding information for mechanical searching—a field with potentialities for legal research that seems worth exploring. The chapter concludes with two eminently practical papers on the production of subject indexes, by Sarita Robinson and Dorothy Charles, edi-

tors, respectively, of the Readers' Guide to Periodical Literature and the International Index.

Although the discussions do not result in definitive conclusions, and hardly could be expected to do so, they are greatly stimulating and thus of interest to a greater number of readers than those who would benefit most by cut and dried conclusions. The symposium should be required reading for any one concerned with the subject control of library materials.

WERNER B. ELLINGER

Interstate Cooperation—A Study of the Interstate Compact, by Vincent V. Thursby. New York: Public Affairs Press, 1953. pp. vi, 152. \$3.25.

The interstate compact has undergone amazing development in recent years. The device was originally used almost exclusively for the settlement of boundary disputes. It is now employed in a wide variety of interstate and federal-interstate fields. As a result of this development, the pioneering study of interstate compacts by Frankfurter and Landis (34 Yale Law Journal 691, 1925) is now of limited use to those who wish information on present day compact law and practice. Two years ago, The Interstate Compact since 1925 by Zimmermann and Wendell appeared. This was the first book-length treatment of the subject and analyzed compact law and practice up to 1951. Professor Thursby has now written what purports to be a thorough and comprehensive study of the device as of 1953. His treatment of Southern Regional Education is interesting and

up to date. On the whole, however, this new book is neither thorough nor comprehensive. The most serious shortcoming of Professor Thursby's book is its failure to make sufficient use of published materials which have appeared since 1940 and the author's apparent lack of acquaintance with actual administration of the many compacts now in force. This is a particularly serious fault because of the tremendous changes which have taken place during the past decade and a half.

For example, the reader gets only a partial view of the Port of New York Authority's activities. Successful operation of bridges and tunnels is mentioned. But there is no indication of the Authority's network of airports, marine installations, or of its bus and truck terminals, all of which have been constructed or leased in more recent years.

The management, development, and allocation of water resources is one of the most extensive areas of compact activity. Yet Professor Thursby has very little to say on this subject. Most of the presently operating and proposed compacts in this field are dispatched with only a footnote reference listing them by name. Some of them including the extremely important Upper Colorado River Compact of 1949 are not even mentioned. One of them, the New England Flood Control Compact of 1951 is described as a compact to build dams when in reality it is designed to allocate tax liabilities resulting from such construction.

The author does have a little to say about the original Colorado River

Compact and quotes an old judgment of its effectiveness as though it were applicable to present conditions. This despite the fact that Arizona has since joined the other compacting states and despite the coming into force of the much stronger Upper Basin Compact of 1949.

One of the major problems examined is that of enforcement of compacts. Here again, the author fails to take account of developments since 1940. Major attention is centered on the old Virginia-West Virginia debt dispute. State ex rel. Dyer v. Sims, 341 U.S. 22 (1951) is mentioned in another connection but its major significance as an enforcement case is overlooked. Moreover, no mention is made of provisions which have become increasingly frequent in modern compacts and which provide for mediation, arbitration, and disposition of compact properties.

In the final portions of his study, Professor Thursby sets forth a number of appraisals of the interstate compact made during the 1930's and adopts some of them as his own. His position is that the interstate compact is suitable for those interstate legal problems that can be settled once and for all but that it is not a feasable method for coping with problems that require extensive administration. Unfortunately, Professor Thursby does not examine the records made by administrative agencies established by compact despite the fact that a number of such agencies have been in existence for some years. As a result, the reader is given no evidence that he might use in testing the presentday validity of these conclusions.

Finally, the reader who is not already familiar with the subject will miss references to specific compacts and their contents. While the author devotes the major portion of his book to the recital of nineteenth and early twentieth century Supreme Court cases, he presents almost none of the specific contents of even the more important compacts. The study is voluminously footnoted but beyond citations to the necessarily brief treatment of compact matters in the Book of the States, there is rarely any reference to recent bibliography. There is a brief index which also serves as a table of cases.

American International College

# CHECKLIST OF CURRENT STATE AND FEDERAL PUBLICATIONS

Revised to June 15, 1953

Compiled by WILLIAM D. MURPHY

PUBLICATION	SOURCE	TO APPEAR
	ALABAMA	
Reports		257 35 1940, 10v.; 1951 P. P.
Atty. Gen. Rpts. & Op.	Secretary of State	1950-51, 2v.
quarterly	Attorney General	69 (OctDec. 1952)
	ALASKA	
		13 1949 (c1948), 3v. 1951
Atty. Gen. Rpts. & Op. biennial	Attorney General	1951-53
	ARIZONA	
Reports	West Pub. Co	74 1939, 6v.; 1952 Supp., 1v.
Session Lawsannual Atty. Gen. Rptsbiennial		1952 1952 1937-38
	ARKANSAS	
Reports Statutes Unann	Secretary of State	219 1947, 2v.; 1951 Supp., 1v.
Statutes Ann	Bobbs-Merrill Co	1947, 8v.; 1951 P. P.
Session Lawsodd years Atty. Gen. Rpts. & Op.	Secretary of State	1951
	Attorney General	1941-43
	CALIFORNIA	
•Reports	Bancroft-Whitney Co., Advance parts, Recorder Printing &	
*App. Reports	Pub. Co	39 (2d)
	parts, Recorder Printing & Pub. Co	113 (2d)

<sup>\*</sup> Advance parts available.

PUBLICATION

SOURCE

LATEST VOL. TO APPEAR

# CALIFORNIA—Continued

Deering's Codes	Bancroft-Wl	nitney Co	
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Carter, J. H. Defamation actions. April 1953 ed. New York, Practising Law Institute, 1953. 51p. \$2.00.

#### Great Britain

Hickson, O. S. and Carter-Ruck, P. F. The law of libel and slander. London, Faber & Faber, 1953. 290p. 30s.

Liberty

Hand, Learned. The spirit of liberty; papers and addresses. 2d ed., enl. New York, Knopf, 1953. 285p. \$3.50.

Libraries

Lubetzky, Seymour. Cataloging rules and principles; a critique of the A.L.A. rules for entry and a proposed design for their revision. Washington, D.C., Library of Congress, 1953. 65p. Apply.

Licenses-Australia

Meagher, J. S. Licensing law and practice.

4th ed. by J. X. O'Driscoll and K. Anderson. Sydney, Law Book Co. of Australasia, 1952. 503p. £5.10s.

#### Pennsylvania

Pennsylvania. Dept. of Internal Affairs. Municipal licensing practices in Pennsylvania, by T. J. Showalter. Harrisburg, Dept. of Internal Affairs, 1953? 34p. Apply.

Life insurance

Gordon, G. B. and Wriggins, J. C. Understanding income, estate, and gift taxes; broad principles and their detailed application to life insurance and annuities. Roslyn, N.Y., Business Reports, Inc., 1952, 166p. \$7.50. Kip, R. De R. Fraternal life insurance in

Kip, R. De R. Fraternal life insurance in America. Philadelphia (148 N. 6th St.), College Offset Press, 1953. 187p. \$2.75.

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Local government

Kneier, C. M. and Fox, Guy. Readings in municipal government and administration. New York, Rinehart, 1953. 486p. \$3.90.

National Municipal League. Digest of county manager charters and laws. New York, The Author, 1953. 70p. \$2.00.

A guide for charter commissions. 2d ed. rev. New York, The Author, 1952, 44p. \$0.75.

#### Great Britain

Jackson, W. E. The secretarial practice of local authorities. Cambridge, Eng., W. Heffer, 1953. 258p. 20s.

## Los Angeles County

California. Legislature. Assembly. Interim Committee on Municipal and County Government. Preliminary report covering fringe area problems in the county of Los Angeles. Sacramento, The Author, 1953. 119p. Final report. 1953. 26p. Apply. (Paper)

#### Michigan

Michigan Municipal League. Analysis of junk yard ordinances. Ann Arbor (205 S. State St.), The Author, 1953. 20p. \$1.00.

#### Scotland

Scotland. Local Government Law Consolidation Committee. First report. Edinburgh, H. M. Stat. Off., 1953. 37p. 1s.3d.

Louisiana

Louisiana State Law Institute. Handbook. Baton Rouge, The Author, 1952. 41p. Apply.

Madison, James

Padover, S. K., ed. The complete Madison;

his basic writings. New York, Harper, 1953. 320p. \$4.00.

Malaya

Douglas, W. O. North from Malaya. Garden City, Doubleday, 1953. 352p. \$3.95.

Marriage-Great Britain

Haw, Reginald. The state of matrimony. An investigation of the relationship between ecclesiastical and civil marriage in England after the Reformation, with a consideration of the laws relating thereto. London, Society for Promoting Christian Knowledge, 1953. 214p. 21s.

Medical jurisprudence

Courville, C. B. Commotio cerebri; cerebral concussion and postconcussion syndrome in their medical and legal aspects. Los Angeles, (316 N. Bailey St.), San Lucas Press, 1952. 161p. \$5.25.

Simpson, Keith, ed. Modern trends in forensic medicine. London, Butterworth,

1953. 327p. 60s.

Mexico

Cline, H. F. The United States and Mexico. Cambridge, Harvard Univ. Press, 1953. 452p. \$6.00. (American foreign policy library)

Mines and minerals

U.S. Bureau of Land Management. Administration of the United States mining laws—problems and proposed solutions. Portland 18, Ore. (Swan Island Station), The Author, 1953. 33p. Apply.

#### Great Britain

Haynes, W. W. Nationalization in practice: the British coal industry. Boston, Harvard Univ., Graduate School of Business Administration, Div. of Research, 1953. 413p. \$4.00.

Monopolies

New York State Bar Association. Section on Antitrust Law. Antitrust law symposium, 1953. Chicago, Commerce Clearing House, 1953. 238p. \$3.50. (Paper)

Van Cise, J. G. A practical guide to the antitrust laws; and The antitrust laws from the point of view of a government attorney by Sigmund Timberg. New York, Practising Law Institute, 1952. 107p. \$2.00. (Paper)

Mortgages

Pease, R. H. and Cherrington, H. V., eds. Mortgage banking; sponsored by Mortgage Bankers Association of America. New York, McGraw, 1953. 458p. \$7.50.

Motor vehicles

American Automobile Association. Digest of motor laws. Summary of regulations governing registration and operation of passenger cars. 20th ed. Washington, D.C., The Author, 1953. 149p. Apply. (Paper)

Commerce Clearing House. State motor carrier guide; an operating guide to state regulation of motor carriers, with

comprehensive state-by-state digests of the laws and regulations. Chicago, The Author, 1952. 2v. \$60.00. (Loose-leaf)

Narcotic laws

U.S. Library of Congress. Legislative Reference Service. Summaries of state laws relating to the treatment of drug addiction, prepared by S. H. Still. Chicago, Council of State Governments, 1953. 34p. \$1.50. (Constitutional and statutory provisions of the states, v. 10)

#### California

California. Board of Corrections. Narcotics and hypnotics in California. A report. Sacramento, The Author, 1953. 36p. Ap-

Natural resources

Chamber of Commerce of the United States. Natural Resources Dept. Policy declarations on natural resources. Washington, D.C., The Author, 1952. 37p.

Apply.
U.S. National Security Resources Board. The objectives of United States materials resources policy and suggested initial steps in their accomplishment. Washington, D.C., Govt. Print. Off., 1952. 101p. \$0.50. (Paper)

Negligence

Frost, A. H. Preparation of a negligence case. April 1953 ed. New York, Practising Law Institute, 1953. 84p. \$2.00.

Kramer, Charles. Medical aspects of neg-ligence cases. New York, Practising Law Institute, 1953. 60p. \$2.00.

Oil and gas

Andersen (Arthur) and Company. Oil and gas Federal income tax manual. 7th ed., rev. to Jan. 1, 1953. Chicago (120 S. La Salle St.), The Author, 1953. 251p. Ap-

Southwestern Legal Foundation. 4th annual institute on oil and gas law and taxation. Albany, Bender, 1953. \$18.50.

Wallach, Kate. List of materials on oil and gas in the Louisiana State University Libraries. Baton Rouge, Louisiana State Library, 1953. 68p. Apply.

Brown, W. N. The United States and India and Pakistan. Cambridge, Harvard Univ. Press, 1953. 308p. \$4.50. (American for-eign policy library)

Parliamentary law and procedure

Mason, Paul. Manual of legislative procedure for legislative and other governmental bodies. Sacramento (State Capitol), Secretary of State, 1953. 640p. Price?

Patents

U.S. Patent Office. The story of the American patent system, 1790-1952. 2d ed. Washington, D.C., Govt. Print, Off., 1953. 35p. \$0.20.

Pensions

Bankers Trust Company. A study of in-

dustrial retirement plans. 1953 ed. New York (16 Wall St.), The Author, 1953. 145p. Apply. Commerce Clearing House. Pension plan guide. Chicago, The Author, 1953. \$75.00 a year. (Loose-leaf)

Ilse, L. W. Group insurance and employee retirement plans. New York, Prentice-Hall, 1953. 438p. \$7.50. (Text ed. \$5.65)

#### North Carolina

Hayman, D. B. Social security and state and local retirement in North Carolina. Chapel Hill, Institute of Government, 1953. 171p. \$2.00. (Law and administration series)

Periodicals

Current sociology, Vol. 1, No. 1. An international bibliography of sociology, prepared by the International Sociological Association. Paris, UNESCO, 1952. \$3.50

a year. (Quarterly)
Virginia bar news. Vol. 1, No. 1. January
1953. Richmond (408 Law Building) Virginia Bar Association, 1953. \$1.00 a

year. (6 issues a year)

Personal property Skolfield, S. K. Cases on the law of personal property. Brooklyn, Foundation Press, 1953, 495p. \$7.50.

Plowden, Edmund

O'Sullivan, Richard. Edmund Plowden, 1518-1585. Autumn reading given 12th November, 1952. Cambridge, Eng., For the Honourable Society of the Middle Temple at the University Press, 1952. 24p. 3s.6d.

Police

Gourley, G. D. Public relations and the police. Springfield, Ill. (301 E. Lawrence Ave.), Thomas, 1953. 123p. \$5.75.

#### California

Fricke, C. W. and Frenette, J. H. California peace officers manual, criminal, civil. 8th ed., rev. & enl. Los Angeles, O. W. Smith, 1953. 279p. \$3.00.

Political science

Political handbook of the world; parliaments, parties and press, 1953. Ed. by W. H. Mallory and Joseph Barber. New York, Council on Foreign Relations, 1953. 233p. \$3.75.

Tallman, Marjorie. Dictionary of civics and government. New York, Philosophi-

cal Library, 1953. 291p. \$5.00.

Wit, Daniel. Comparative political institutions; a study of modern democratic and dictatorial systems. New York, Holt, 1953. 534p. \$4.75.

Pollock, Sir Frederick

Hazeltine, H. D. Sir Frederick Pollock, bart., 1845-1937. New York, Oxford Univ. Press, 1953. 25p. \$1.00.

Practice and procedure

Dawson, A. O. Examinations before trial in state courts; and Strategy and tech-

nique of depositions by H. S. Bodin. Rev. to Jan. 1953. New York, Practising Law Institute, 1953. 42p. \$2.00.

Fins, H. G. Federal appellate practice, with emphasis on the Seventh Circuit. Chicago (77 W. Washington St.), The

Author, 1953. 35p. Apply. Hickam, Hubert. A civil action from pleadings to opening of trial. February 1953. Philadelphia, American Law Institute, Committee on Continuing Legal Edu-

cation, 1953. 196p. \$2.50. (Paper) Starr, Harry. Rebuttal and surrebuttal; and Motions after evidence by F. v. P. Bryan. Rev. to April 1953. New York, Practising Law Institute, 1953. 18, 19p. \$2.00.

#### Canada

Chitty, R. M. W. Chitty's Ontario annual practice, 1953. 14th ed. Toronto, Cartwright, 1953. 604p. \$12.00.

#### New Jersey

New Jersey. Supreme Court. Manual of pretrial practice. Trenton, The Author, 1953? 35p. Apply.

#### New York (State)

Bradbury, H.B. Bradbury's lawyers' manual. 6th ed. by E. M. Bohm. New York, Baker, Voorhis, 1953. \$27.50.

Flouton, A. B. and Rotwein, Abraham. Cases on the law of pleading and practice. Brooklyn, Brooklyn Law Book Store, 1952. 519p. \$6.50. (Paper)

Practice of law Seligson, H. P. Building a practice. Rev. to March 1953. New York, Practising Law Institute, 1953. 68p. \$1.50. (Paper)

Presidents MacBride, R. L. The American electoral college. Caldwell, Idaho, Caxton Printers, 1953. 89p. \$0.75.

Backman, Jules. Price practices and price policies-selected writings. New York, Ronald Press, 1953. 590p. \$8.00.

Prisons and prisoners

American Prison Association. Committee on Classification and Case Work. Handbook on the inmate's relationships with persons from outside the adult correctional institution. New York, The Author, 1953. 74p. \$1.00.

#### Michigan

Michigan. Special Committee to Study the Michigan Department of Corrections. The Michigan prison riots; causal and contributory factors and suggested corrective action. Lansing (State Capitol), The Author, 1953. 34p. Apply. Profit sharing

Council of Profit Sharing Industries. Profit sharing-keystone of industrial peace;

proceedings of fifth annual conference. Akron (First National Tower), The Author, 1953. 120p. \$2.50.

Psychiatry

Overholser, Winfred. The psychiatrist and the law. New York, Harcourt, 1953. 147p. \$3.50.

Public records

Cross, H. L. The people's right to know; legal access to public records and pro-ceedings. New York, Columbia Univ. Press, 1953. 405p. \$5.50.

Real property
Rea, W. S. The history of real property law; with outline of study, lesson talks and daily recitations. Chicago, La Salle Extension Univ., 1953. 32p. \$0.75.

#### Texas

Southwestern Legal Foundation. Institute on trial of a land suit. Dallas, Tex., The

Author, 1952. 136p. \$5.00. Melli, Marygold. Subdivision control in Wisconsin. Madison, Univ. of Wisconsin, Law School, 1953. 108p. Apply. (Mimeo.)

Roman law

Gaius. The Institutes of Gaius. Pt. II, Commentary. Ed. by Francis de Zulueta. New York, Oxford Univ. Press, 1953. 315p. \$5.00.

Lee, R. W. An introduction to Roman-Dutch law. 5th ed., rev. London, Oxford Univ. Press, 1953. 471p. 40s.

Russia

Berman, H. J. The Russians in focus; a study of the salient features of Soviet society. Boston, Little, Brown, 1953. 209p.

Kucherov, Samuel. Courts, lawyers and trials under the last three Tsars. New York, Praeger, 1953. 350p. \$6.00.

Runes, D. D. The Soviet impact on society. New York, Philosophical Library, 1953. 202p. \$3.75.

Securities

Durfee, E. N. Cases on security. Vol. 2, Suretyship. Indianapolis, Bobbs-Mer-rill, 1953. 352p. \$6.00. (v.1 & 2 covering Property security and Suretyship are available in 1 vol. at \$10.50)

Drummond, Isabel. The sex paradox. New York, Putnam, 1953. 369p. \$5.00. Illinois. General Assembly. Commission on

Sex Offenders. Report. Springfield, The Author, 1953. 52p. Apply. Social insurance—North Carolina

Hayman, D. B. Social security and state and local retirement in North Carolina. Chapel Hill, Institute of Government, 1953. 171p. \$2.00. (Law and administration series)

Social security

Marti, D. B. Income tax and social security course. 7th ed. New York, Prentice-Hall, 1953. 153p. \$2.65. (\$2.00 to libraries)

U.S. Social Security Administration. Social security financing by E. C. Merriam. Washington, D.C., Govt. Print. Off., 1953. 204p. \$1.00. (Paper)

Social welfare

Tax Foundation. Improving public assist-ance. Some aspects of the welfare problem. New York, The Author, 1953. 44p. Apply.

Current sociology. Vol. 1, No. 1. An international bibliography of sociology, prepared by the International Sociological Association. Paris, UNESCO, 1952. \$3.50

a year (Quarterly)

Western Governmental Research Association. Inventory of public affairs and social science research in the western states, 1951 and 1952. Compiled by Pamela Ford and Stanley Scott. Berkeley, Univ. of California, 1953. 113p. \$2.00. (\$1.00 to members) (Prepared in cooperation with the Bur. of Public Administration, Univ. of California)

South Africa

Junckerstorff, H. K. Reconciliation in South Africa and the status of the Indians in international law. Calcutta, Bookland, Ltd., 1952. 82p. Price?

Taxation

American Taxpayers Association. Recommendations for 1953 Federal tax revision to the Joint Committee on Internal Revenue Taxation of the United States Congress. Washington, The Author, 1953? 54p. Apply. (Mimeo.) Bryson, B. O. Tax aspects of executives'

compensation. Rev. to Nov. 1952. New York, Practising Law Institute, 1953.

70p. \$2.00.

Butters, J. K., Thompson, L. E. and Bollinger, L. L. Effects of taxation: investments by individuals. Boston, Harvard Business School, Div. of Research, 1953. 533p. \$6.25.

Casey, W. J. and Lasser, J. K. Tax shelter for the family. 3d printing. Roslyn, N.Y., Business Reports, Inc., 1953. 181p. \$12.50.

Council of State Governments. Suggested

interstate highway use tax law. Chicago, The Author, 1952? 12p. Apply. Georgia. University. College of Business Administration and School of Law and others. Proceedings of fifth annual Georgia accounting institute and first Georgia tax institute, 1951. Athens, Univ. of Georgia, Div. of General Extension, 1952. 114p. Apply.

Gitlin, Paul and Woodward, W. R. Tax aspects of patents, copyrights and trademarks. New York, Practising Law Insti-

tute, 1953. 83p. \$2.00. Institute on Federal Taxation. Univ. of Chicago. Some problems in Federal taxation. Ed. by R. S. Van de Woestyne. Chicago, Univ. of Chicago, University College, Downtown Center, 1952. 172p.

\$2.00. (Paper) Lee, E. C. State equalization of local assessments. Berkeley, Univ. of California, Bur. of Public Administration, 1953.

44p. \$1.25. (Mimeo.)

McCarty, J. F. State regulation and taxa-tion of highway carriers. Berkeley, Univ. of California, Bur. of Public Administra-

tion, 1953. 40p. Apply.

Marquette University, Milwaukee. First and second annual institute on taxa-tion, 1950 and 1951. Walter Froelich, editor, Milwaukee, Marquette Univ., College of Business Administration, 1952. 342p. \$10.50.

Prentice-Hall. Federal tax handbook, 1953. New York, The Author, 1953. 442 p.

\$3.00.

Manual of new state requirements for out of state firms; how to avoid overpaying state taxes. New York, The Author, 1953. 32p. \$1.00. (Free with subscription to State and Local Tax News) Tax ideas. New York, The Author,

1953. \$72.00. (Loose-leaf)

Rumpf, H. A. C.P.A. questions and solu-tions in taxation. New York, Prentice-

Hall, 1952. 335p. \$5.65.

Southwestern Legal Foundation. 4th annual institute on oil and gas law and taxation. Albany, Bender, 1953. \$18.50. Tulane University of Louisiana. College of

law. Tulane tax institute. 1951. New Orleans, The Author, 1952. 325p. \$8.50.

#### California

California. Legislature. Senate. Interim Committee on State and Local Taxation. Pt. 6: Property assessments and equalization in California. Sacramento, The Author, 1953. 402p. Apply.

#### Canada

Commerce Clearing House. Canadian de-preciation guide. 4th ed. Chicago, The Author, 1953. 90p. \$2.00.

Canadian sales and excise tax guide. 3d ed. Chicago, The Author, 1952. 248p.

\$2.00. (Paper)

## Great Britain

Incorporated Association of Rating and Valuation Officers. Exemptions from rating. London, The Author, 1952. 105p. 16s.

Rhys-Williams, J. E. Taxation and incentive. New York, Oxford Univ. Press, 1953. 188p. \$3.50.

Shehab, F. Progressive taxation. New York, Oxford Univ. Press, 1953. 299p. \$5.25. Williams, R. G. Income tax, sur-tax, profits tax and excess profits levy. New rev. ed. London, Cassell, 1953. 390p. 15s.

#### Minnesota

Minnesota. Legislature. Commission on Taxation of Iron Ore. Report. St. Paul, The Author, 1953. 161p. Apply.

### New Jersey

New Jersey. Commission on State Tax Policy. Sixth report. The general property tax in New Jersey; a century of inequities. Trenton, The Author, 1953. 238p. Apply. (Paper)

#### New York (City)

Fleischaker, E. B. Significance of exemption of public housing from real property tax to municipal revenues of New York City. New York (225 W. 86th St.), The Author, 1952. 54p. \$1.00. (Mimeo.)

#### Texas

Texas. Legislative Council. A survey of taxation in Texas: Pt. 3: Tax structure -analysis and problems. Austin, The Author, 1952. 151p. \$1.00.

## Procedure

Ash, Robert. Preparation and trial of tax cases. Rev. to Oct. 1952. New York, Practising Law Institute, 1952. 84p. \$2.00.

Prentice-Hall. Federal tax procedure: sources and working tools-tax return procedure—tax litigation. 10th ed. New York, The Author, 1952, 72p. \$1.00.

Gt. Brit. Colonial Office. An annotated bibliography on land tenure in the British and British protected territories in South East Asia and the Pacific. London, H. M. Stat. Off., 1952. 146p. £1.1s. (Mimeo.)

Title to land—Great Britain
Jenkins, G. R. Transfer of real property, with outline of study, lesson talks and daily recitations. Chicago, La Salle Extension Univ., 1953. 51p. \$0.75.

Torts

Bohlen, F. H. Cases on the law of torts. 5th ed. by F. V. Harper. Indianapolis, Bobbs-Merrill, 1953. 992p. \$9.00.

# Great Britain

Padley, C. S. Questions and answers on torts. 4th ed. by I. Goldsmith. London, Sweet & Maxwell, 1953. 145p. 6s.6d.

Salmond, J. W. Salmond on torts. 11th ed. by R. F. V. Houston. London, Sweet & Maxwell, 1953. £2.2s.
Traffic regulations—Michigan

Michigan Municipal League. Uniform traffic ordinances for Michigan municipalities. Ann Arbor (205 S. State St.), The Author, 1953. 32p. \$3.00.

Trial practice

Bodin, H. S. Final preparation for trial. Rev. to Feb. 1952. New York, Practising Law Institute, 1952. 30p. \$1.50.

#### Great Britain

Hamson, C. J. and Plucknett, T. F. T. The English trial and comparative law (five broadcast talks). Cambridge, Eng., W. Heffer & Sons, 1952. 47p. 2s.6d. (Paper)

#### Indiana

Flanagan, D. C., Wiltrout, F. L. and Hamilton, Frank. Indiana trial and appellate practice. St. Paul, West, 1952. 2v. \$35.00.

Southwestern Legal Foundation. Institute on trial of a land suit. Dallas, Tex., The Author, 1952. 136p. \$5.00.

Trials

Barnes, Peter, defendant. The trial of Peter Barnes and others; the I.R.A. Coventry explosion of 1939. Edited by Letitia Fairfield. New York, British Book Centre, 1953. 284p. \$3.25. (Notable British trials series, v. 77)

Broad, Lewis. The innocence of Edith Thompson; a study in Old Bailey justice. London, Hutchinson & Co., 1952. 287p.

12s.6d.

Haigh, J. G., defendant. Trial of John George Haigh. Edited by Lord Dun-boyne. New York, British Book Centre, 1953. 272p. \$3.25. (Notable British trials series, v. 78)

Unemployment insurance

Becker, J. M. The problem of abuse in unemployment benefits. New York, Columbia Univ. Press, 1953. 448p. \$8.50.

**United Nations** 

Hall, G. D. The hate campaign against the U.N.; one world under attack. 3d print. Boston, Beacon Press, 1953. 38p. \$0.50.

U.S. Alien Property Custodian

U.S. Library of Congress. Legislative Ref-erence Service. The Alien Property Custodian: a legislative chronological history and bibliography of the Trading with the enemy act and the operations of the Office of Alien Property Custodian, 1917-1952. A report prepared by F. W. Sharp and R. S. Cox. Washington, D.C., 1953. 50p. Apply. (82d Cong., 2d sess. Committee print)

U.S. Bureau of Internal Revenue

Commerce Clearing House. Bureau of Internal Revenue procedure and practice under reorganization plan no. 1 of 1952.

Chicago, The Author, 1953, 95p. \$1.00. Goodrich, E. J. and Redman, Lipman. Procedure before the Bureau of Internal Revenue (the Bureau as reorganized in 1952). 2d ed., February 1953. Philadelphia, American Law Institute, Committee on Continuing Legal Education, 1953. 172p. \$2.50.

U.S. Constitution

Padover, S. K. The living U.S. Constitu-

tion. New York, Praeger, 1953. 200p. \$3.00.

U.S.-Foreign relations

Barber, H. W. Foreign policies of the United States. New York, Dryden Press, 1953. 614p. \$5.25.

U.S. Tax Court

Commerce Clearing House. Procedure and practice before the Tax Court of the United States. 13th ed. Chicago, The Author, 1953. 288p. \$3.00. (Paper)

Diamond, David. Instructions to jury; and Verdict and motions after verdict by F. V. Bryan. Rev. to May 1953. New York, Practising Law Institute, 1953. 15, 30p. \$2.00.

Washington (State) Constitution

Washington (State) Constitution. Washington constitution annotated; amendments through Nov. 4, 1952. San Francisco, Bancroft-Whitney Co., 1953. \$17.50.

Water and water courses
Bartley, E. R. The tidelands oil controversy: a legal and historical analysis. Austin, Univ. of Texas Press, 1953. 330p. \$5.00.

California. Legislature. Senate. Interim Committee on Tidelands. Report. Sacramento, The Author, 1953. 52p. Apply.

Workmen's compensation
Ratcliffe, D. T. Workmen's compensation
insurance handbook. Jenkintown, Pa. insurance handbook. Jenkintown, Pa. (208 Rodman Ave.), McCombs, 1952. 230p. \$4.50.

#### Canada

Canada. Dept. of Labour. Legislation Branch. Workmen's compensation in Canada. A comparison of provincial laws. Ottawa, The Author, 1952. 40p. Apply.

#### Minnesota

Minnesota. Legislature. Interim Commis-sion on Workmen's Compensation. Report, to revise and codify the laws relating to workmen's compensation. St. Paul, The Author, 1953. 76p. Apply.

Zoning

Levin, D. R. Zoning for truck-loading facilities. Washington, D.C. (2101 Constitution Ave.), Highway Research Board, 1952. 101p. \$1.50.

#### New York (State)

New York (State) Dept. of Commerce. Zoning in New York state; a guide to the preparation of zoning ordinances. Rev. ed. Albany, The Author, 1952. 158p. Apply.

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# REPORT OF THE TREASURER

# For the fiscal year ending May 31, 1953

# GENERAL FUND

ADD RECEIPTS		
Dues Institutional \$2,717.00		
Active		
Associate	\$4,695.70	
Journal ——	<b>VI</b> ,030.70	
Advertising 1,704.50		
Subscriptions		
Back numbers	2,761.75	
Directory & membership lists	61.00	
Convention receipts*	1,497.86	
Interest	150.00	
Duplicate exchange	5.00	
TOTAL TO BE ACCOUNTED FOR		\$22,639.48
LESS DISBURSEMENTS		
Cost to publish Journal (4 issues)		
Printing		
Editor's salary		
Assistance to Editor 126.55		
Telephone, telegraph, postage	\$6,632.07	
Secretary		
Assistant to Secretary		
Treasurer		
Assistant to Treasurer	1,265.60	
Transportation and Hotel	90.24	
Convention expense*	1,261.69	
Supplies, telephone & telegraph	325.70	
Postage & Express	147.27	
Refunds	111.21	
Chapter dues		
Law Library Journal		
Duplicate Exchange 5.00	201.50	
Affiliation dues	201.00	
Z39 Committee		
Council of National Library Associations . 10.00		
American Library Association	40.60	
Committee expenses —	20.00	
Current publications		
Membership	14.05	
Library Institute	12.57	
Audit	100.00	

<sup>\*</sup>The convention figures include \$1,000.00 receipts and \$408.19 expense for the Los Angeles meeting. The profit from the Toronto convention was \$470.79.

The balance in the General Account stands at \$12,548.19. This is about a thousand less than we started with for the fiscal year 1952-53. Aside from some slight pluses and minuses, the main explanation is the cost of publishing the *Journal*. Subtracting Journal receipts from expenses in 1952 the deficit was \$915.00. In 1953 the deficit was \$3,871.00. Most of the increase was due to the size of the four issues, 547 pages in 1952-53 as against 333 in 1951-52. You will recall the size of the Toronto proceedings issue.

The cost of publishing the *Journal* is the largest item in our budget. We are now printing 950 copies. At the 1952-53 rate each copy cost us \$1.75 to print. Income from subscriptions, back issues, and advertising amounted to \$.72 per copy. Thus the Association pays \$1.03 for each copy, or \$4.12 for the four issues that are included with each \$7.00 membership. That leaves only \$2.88 of each member's dues to carry on all of the rest of the Association's activities.

The printing cost will be somewhat higher in 1953-54 due to the new contract with the Byrd Press. We all earnestly hope it will not become necessary to increase the subscription price or the advertising rates, or to drastically reduce the Proceedings.

Subscribers to the *Journal* have stayed almost the same in number as last year—164 for 1952-53 as against 165 for 1951-52. It is to be expected that, as our membership grows, subscriptions will drop off. Most libraries do not need a subscription to the *Journal* in addition to membership.

There has been a steady demand for back issues of the *Journal*, with a number of libraries trying to build a complete file from vol. 1. The run of volumes 1-20 is now quite incomplete. Because of the apparent demand, Matthew Bender & Co. is now putting the first 20 volumes on microcards. The price has not yet been definitely settled. Orders will be handled by Matthew Bender & Co., and a small royalty will be paid to the Association.

Our membership for 1952-53 stands at an all time high. The total number of persons, as well as classes of membership is as follows:

	1952-53	1951-52
	Total persons	Total persons
Life	19	21
Associate	54	46
Active	194	186
Institutional	340	320
	607	573
Institutional (as a class)	149	143

There have, of course, been numerous changes in personnel—active becoming institutional and vice versa, and changes in the personnel within libraries. From the great number of changes reported to me during the year, it would appear that law librarians still enjoy a sellers' market. I would like to take this opportunity to remind our institutional members to notify the Treasurer promptly of changes in personnel. This is the only way we can keep our roster of members current.

\$ 7,847.95

### INDEX FUND

For fiscal year ending May 31, 1953

Balance June 1, 1952 Receipts from H. W. Wilson Co.	\$ 1,466.49 12,089.10
TOTAL TO BE ACCOUNTED FOR	13,555.59
Less Disbursements	-1.64
	71.64
Commissions	86.00
	5,707.64

The Index Fund is at last in the black. We even weathered the July 1952 threeyear cumulation without having to request an advance from the Wilson Company. Our foreseeable expenses for salaries for 1953-54 amount to \$6,092.47 which we can pay from our present balance. Added to this, of course, we will receive the balance to our credit from the Wilson Company next fall.

This is a most gratifying situation. We are now paying salaries of \$3,000 to the Editor of the Index and \$2,400 to her assistant. These are scheduled to be increased to \$3,300 and \$2,600 respectively on September 1, 1953. We now also pay 4% retirement and 11/2% Social Security Tax on both salaries.

No part of the Secretary's or Treasurer's salary is now paid from the Index Fund. (Until 1949, \$250 of the \$550 salary of the Secretary was paid from the Index Fund). If the demands on the General Fund should become too great, it might again be advisable to charge a part of the Treasurer's salary to the *Index*. However, I do not suggest this be done except in an emergency. The *Index* is one of our most valuable contributions to the profession. If it should become financially able, I think it would be better to invest any surplus in improving the service the *Index* can render.

Respectfully submitted, Elizabeth Finley, Treasurer

# REPORT OF THE SECRETARY

June 1, 1952-May 31, 1953

The report of activities of this office during my first year's service must be prefaced by an acknowledgment of the constant assistance which has been generously and graciously extended to me throughout the year by my predecessor, Margaret Coonan, and the President, Forrest Drummond. Extensive examination of the files of this office has served to impress upon me the great debt which we owe to Margaret Coonan for her achievements in developing so many facilities for the smooth operation of the

secretarial duties. Following her five energetic years' service has meant for me the inheritance of a well organized system. This together with her prompt response to a steady flow of SOS's have served to allay my concern a year ago over having undertaken the work.

President Drummond has been a most considerate boss! His endeavor to lighten the load of the Secretary's office has so far exceeded the call of duty as to reduce problems and letter-writing to a minimum. I must particularize in one instance: a glance at the list of personnel composing the various committees of the Association, each one of whom must be written to possibly twice, not to speak of a succession of correspondence in instances in which members are unable to accept, will serve to indicate the extent of correspondence involved. Last fall appointments of committee personnel came to my attention only after all acceptances had been received and a final alphabetical list was forwarded to my office. Instead of finding myself, at the close of this first year much in need of a rest, I am in search of a remedy for shock over the failure of the duties to produce the horrible results of overwork anticipated!

In making the above acknowledgments, the major portion of the secretarial activities for the year has been covered. The bulk of the correspondence has been in the nature of presentation of matters to the Executive Board, a number of matters of policy having required prompt action and a fairly steady flow of communications incident to memberships. Convention correspondence has been fairly heavy since January, preparing for printed reports and other meeting details.

Correspondence with officers of Chapters of the Association has been highlighted with the receipt recently of the rather elaborately printed Proceedings of the Workshop on Library Problems held by the Chicago Association at the Northwestern Law School in October, 1952. A petition to organize a Southern California Association of Law Librarians has been submitted for consideration at the Executive Board meeting in Los Angeles in July. Correspondence relative to the possibility of the organization of a Southeastern Association indicates the possibility of the organization of still another Chapter. The increase in activities among these regional groups is indicated by the fact that for the first time at an annual meeting a Chapter Breakfast has been scheduled. Already these groups are urging the development of some method of intercommunication so that their respective activities may be promptly publicized for information and study purposes among

all of the Chapters, ways and means for which may materialize at this meeting and result in intercommunication profitable to the Association at large. In this connection I should like to recommend that the Committee on List of Law Libraries consider the possibility of including in future directories Chapter memberships in full or, at least, the officers of these organizations.

During the year, as a result of the work of the Special Committee on Publications a revised method of publishing the List of Current Publications has been developed. The Current Publications section in the Law Library Journal is now being supplemented monthly by Current Publications, a non-profit service edited by Dorothy Scarborough and made possible through the cooperation of Northwestern University Law School and Fred Rothman, the latter serving as business manager. The Association is indebted to Dean Havighurst, of Northwestern University Law School and to Mr. Rothman for their cooperation in the project and to Dorothy Scarborough and her Committee for this improved service.

At the request of the Editor of the Journal, William B. Stern, the Secretary is undertaking to compile for each issue of the Journal news items relative to new members and activities among the membership and chapters generally. It seems especially appropriate to take this occasion to put in a plea that any news items be forwarded promptly to the Secretary. The Editor and the Secretary wish and will endeavor, with your cooperation, to make this feature as complete in coverage

and as interesting as possible.

To the officers, the Executive Board, and the members generally I wish to extend my sincere appreciation for your kind and generous cooperation and as-

sistance during the past year.

To Commerce Clearing House and Dorothea Blender I extend appreciation on behalf of the Association for the preparation and distribution of the annual reports, an invaluable service to all of us.

> Respectfully submitted, Frances Farmer, Secretary

# REPORT OF THE COMMITTEE ON CATALOGING

Last year Dr. Werner Ellinger prepared two working papers as guides for the evaluation of A.L.A. Cataloging Rules relating to legal materials. Working Paper No. 1, covering A.L.A. Rules 88-90, and Working Paper No. 2, on A.L.A. Rules 71-87, were submitted to the Committee members for their individual comments. Their replies were compiled and distributed to them. Then on July 6, 1952, the Committee met in Toronto, in conjunction with the annual meeting of the Association, to reconcile the remaining differences held by its members. Since its full constituency was not present and much of the discussion went beyond the responses to the working papers, it was deemed appropriate that the results of the meeting be communicated to the absentees for their comments. Following the meeting, however, the Committee was reconstituted and, in view of this, the papers were resubmitted to the new Committee for approval or comment.

To expedite deliberation on the papers and to limit generally the discussion at Committee meetings to points in dispute, the group agreed to the adoption of the following rule of procedure:

Votes may be taken by mail, provided all members are canvassed simultaneously. In case of dissent among members, a second vote shall be taken after each member has been acquainted with the views of every other. A majority of five-sixths shall carry a proposal on the second vote. In case of members voting no opinion, unanimity of the remaining members but not fewer than three, shall be required to carry a proposal. Unless the chairman sets a different deadline, no vote shall be counted unless received within thirty days of the mailing date of the communication calling for a vote; silence shall be interpreted as assent to the proposal.

A similar provision was found useful for the deliberations of A.L.A. committees as well as its Division of Cataloging and Classification.

The A.L.A. Division of Cataloging and

Classification is preparing a revision of the A.L.A. Rules of Entry, especially those on corporate headings, which are closely related to the cataloging of legal materials. The Division's Board on Cataloging Policy and Research has taken cognizance of the work of the A.A.L.L. Committee on Cataloging and has recognized our Association's interest in this revision. It is important, therefore, that the proposals of our Committee be attuned to A.A.L.L. and A.L.A. schedules to allow for the fullest deliberations.

In view of these considerations and the substantial quantity of work which this program entails, the Committee voiced the opinion that it concentrate its energies solely on that study and not undertake any new activities until it is completed.

The Cataloging Committee has been polled as to each item of the working papers through recourse to a questionnaire prepared by Dr. Ellinger. In their replies, the members of the Committee expressed either agreement or disagreement with the proposals, together with a statement, in some instances, of counterproposals and comments. To afford maximum perception and to permit the widest range of consideration, the previously recorded views of the Committee are indicated under the more troublesome questions. Conversely, when seemingly appropriate, the working papers provide no alternative solutions, allowing unrestricted expression of opinion. In a few cases, policy is shorn of its protective sheathing. In others, it is bolstered to give meaning to companion issues.

To the extent that this report is anticipatory of a Committee meeting, that which remains to be done, except in the broadest sense, cannot presently be articulated. The Los Angeles meeting should produce a consensus of opinion as to most of the A.L.A. Rules under consideration, a plan for reconciling the differences as to the remainder and a program for the presentation of the full study to the membership of A.A.L.L.

Presently, the Committee has but one recommendation to make, that its membership remain the same during the next

year. In that manner, it can continue with its work without interruption.

Respectfully submitted, Ervin H. Pollack, Chairman Elizabeth V. Benyon Pauline A. Carleton Werner B. Ellinger William B. Stern Erwin C. Surrency Katherine Warren

## REPORT OF THE COMMITTEE ON CIVIL SERVICE POSITIONS

The function of this reorganized Committee has been defined as that of acquainting possible applicants for civil service positions with the opportunities in the field and with the procedures for applying for such positions.

To date the Committee has investigated the method of applying for positions in federal law libraries and has attempted to find out what civil service examinations are open at present or projected for the near future.

At present no distinction between law and other types of libraries is made in examination or evaluation of applicants, although a committee of the Law Librarians' Society of Washington, D. C., is at work on a study of suggested specifications for classification of law library positions. Therefore, until such time when a distinction may be made and new civil service specifications would be established, law librarians will continue to be appointed from the regular library register or list of eligible competitors established through examination. Those interested in federal service should, therefore, file for examination when announcements are made by the United States Civil Service Commission. It may be pointed out here that although it is possible for a register to be opened so that an applicant for a position may be rated and appointed, this is an involved process; so most appointments to civil service positions are made from those already on the register as a result of the regular examination, unless no person deemed qualified is listed on the register.

One of the functions of the Committee should, therefore, be to publicize the announcements so that prospective candidates may file applications in time to meet the civil service requirements. Possible media for this include the Law Library Journal, other library periodicals, local chapters of the American Association of Law Libraries, library school publications, bar association and law school publications. The chief requisite for an inexperienced applicant for a Federal library position today is a degree in library science, rather than specialized training in subject matter, so the emphasis in making contacts should probably be on the library rather than on the legal field.

Announcements of open United States Civil Service examinations are sent only to educational institutions which have requested them, although they are displayed in post offices and other federal office buildings. Therefore, the opportunity for interested applicants to hear about these examinations should be widened.

The Committee will need to formulate a plan for effective dissemination of this information.

Concerning current examinations, the Committee has this to report:

A) In general, GS-5 positions (starting salary, \$2974) with options in various fields including library science, are filled as a result of assembled written examinations of general abilities such as paragraph reading, vocabulary tests, English usage, arithmetical and abstract reasoning. No examination on technical subject matter is given. Announcement no. 119, issued Sept. 8, 1948, as amended, is still open, and examinations are held at fairly regular intervals.

B) A register for GS-5 and GS-7 positions (\$3410-\$4205) is open at present in the Fourth Civil Service Region.

C) An examination for Librarian (\$8360-\$10,800) under Examining Circular EC-4, November 26, 1946, as amended, is open until further notice, but no law library positions are listed thereon. There is no examination for this register, but applicants are rated preliminarily on basis of training and experience, and their quali-

fications are evaluated later in relation to specific positions to be filled.

Most of the law library positions covered by civil service are in the general category of grades GS-9 to GS-11 (\$5060 to \$5940), but no new examination for these grades is contemplated.

In the future, the Committee will try to develop a plan for circularizing information about coming civil service examinations and for promotional work in library schools through developing information about professional law libraries as well as law librarians. Another plan that might be worked out is for local chapters of the A.A.L.L. to maintain closer contacts with library schools, career institutes and similar programs where Federal law library work as a career can be explained and popularized.

Respectfully submitted, Bertha M. Rothe, Chairman Eunice W. Beeson Annabelle M. Paulson

#### REPORT OF THE COMMITTEE ON COOPERATION WITH THE AMERICAN BAR ASSOCIATION

The Committee has tried again this year to reach an agreement with the American Bar Association whereby law libraries may subscribe to the publications of that organization and its sections. The Director of Activities of the American Bar Association, Mr. Edward Love, pointed to the difficulties that are faced by the headquarters of the American Bar Association in implementing such a plan. Many sections of the American Bar Association feel that their publications are an enticement to membership in a section, while other sections have no central control over publications by their committees. However, the Board of Governors of the American Bar Association will consider the proposal of this Committee at its meeting in May, 1953. A supplementary report will be filed at the time of the Annual Meeting of the American Association of Law Libraries presenting the final disposition of this proposal by that body.

This Committee proposed that publications of sections of the American Bar Association which are out of print, be microcarded and that an index to these publications be prepared. The plan envisions the arrangement of this material by sections and an index organized by sections. The Matthew Bender Company is interested in doing this project and will proceed when the approval of the American Bar Association is given. The Committee recommends that the members of the American Association of Law Libraries support this project when it begins.

The work of this Committee for the next year will again be the problem of reaching some understanding with the American Bar Association concerning a subscription to its publications.

Erwin C. Surrency, Chairman Arthur W. Fiske Frances S. Henke Charles A. McNabb Laurie H. Riggs Helen A. Snook Eugene M. Wypyski

#### REPORT OF THE COMMITTEE ON COOPERATION WITH STATE LIBRARIES

Two years ago this Committee inherited from its predecessor, then constituted under the chairmanship of Charlotte C. Dunnebacke, the results of a survey of methods of distributing state publications in all of the forty-eight states. A summary of this survey entitled Distribution of State Publications to Law Libraries was printed in the Proceedings of the 45th Annual Meeting in 45 Law Library Journal 245 (1952). Since the information for each state was supplied by the State Librarian or someone designated by him, the best source of supply is indicated, and law librarians seeking state publications are saved considerable time in writing to unknown parties who are not likely to be cooperative or helpful.

During the report year, this Committee and the Joint Committee on Cooperation

between the Association of American Law Schools and the American Association of Law Libraries published a Directory of Interlibrary Loan Facilities of Law Libraries in 46 Law Library Journal 14 (1953). The information from state libraries and state law libraries was collected by this Committee and the information from law schools and bar association libraries by Dorothy Salmon, for the Committee on Cooperation between the Association of American Law Schools and the American Association of Law Libraries.

At the present, there is no unfinished business.

> Dennis A. Dooley, Chairman Margaret E. Coonan Gilson G. Glasier Marie Russell Julia B. Starnes

## REPORT OF THE COMMITTEE ON EDUCATION AND PLACEMENT

This Committee conducted no campaigns during the report year, but was busy with placement activities. Some 250 letters, telegrams and telephone conversations were exchanged with prospective employers and librarians, with a fair amount of success. As in other years, most inquiries concerned law school libraries, with state libraries second. For the medium and higher salaried school positions, more and more emphasis is laid upon the possession of three degrees, the A.B., LL.B. and library school degrees. College and law school grades are scrutinized by deans. For the higher salaried jobs there is a definite, though by no means insuperable preference for men.

On the education side, negotiations were carried out with the Chairman of the Joint Committee on Cooperation between the Association of American Law Schools and the American Association of Law Libraries, looking toward the compilation of a treatise or manual on law librarianship. This would be primarily for the use of law school librarians; but it is

hoped that it will be a book of practical value to all law librarians. It is expected that work on the manual will begin late in the coming fall. Another education activity, initiated through the efforts of President Forrest Drummond, will be the holding of the Law Librarians' Institute at the University of California at Los Angeles, during the week beginning June 29, 1953, preceding the Annual Meeting of the American Association of Law Libraries.

Miles O. Price, Chairman Lucile Elliott Julius J. Marke Huberta A. Prince Kate Wallach

## REPORT OF THE COMMITTEE ON ELECTIONS

The Committee on Elections met at the University of Chicago Law Library on June 16, 1953 for the purpose of counting the ballots for the election of officers of the American Association of Law Libraries.

The Committee's work began with the inspection of 355 ballots received from Miss Frances Farmer, Secretary, and representing a 63.6 percent participation as measured by the number of ballots mailed from her office on May 2, 1953. 345 ballots were properly returned and identified. Ten were invalid for the following reasons:

- 1 ballot bore the name of a person not designated by institutional membership;
- 2 ballots returned, one marked "resigned", the other "deceased";
- 7 ballots bore institutional identificacation, but no identification of the individual member voting.

An analysis of the election returns, as shown by the tallied ballots, shows the following:

#### President-Elect

Marian	G. Gallagh	ner	 330
	McDermott		
date)			 3

Treasurer Elizabeth Finley						334
Secretary						
Frances Farmer						334
Executive Board Member						345
Harry Bitner						162
Dennis A. Dooley						
Bitner and Dooley						

In contrast to the 31 members who by voting for both executive board nominees left the choice to others, there were ten members who voted only where there was more than one candidate for office. One member felt called upon to explain: "Since I am opposed to none of the candidates for office, but do object to having a slate of one person nominated for an office I am casting a vote in the case where there is a choice, only." The great majority, however, expressed their individuality in different ways, by the color of the ink or pencil used, the size and location of the X with which they marked their ballots, the use of check marks by 41 members in preference to the X, or, in the case of one, the use of a V in preference to an X. The Committee, governed by less rigorous standards than election boards in contested elections, counted all properly returned and identified ballots except the 31 ballots checked for both executive board nominees.

The election returns show, and the Committee on Elections declares, that the following have been elected:

President-Elect ....Marian G. Gallagher Treasurer .......Elizabeth Finley Secretary ......Frances Farmer Executive Board Member ... Harry Bitner

Norman Bursler, Chairman Frank Di Canio Francis J. Rooney Dorothy Scarborough

## REPORT OF THE COMMITTEE ON EXCHANGE FILES

Your Committee reports that the recommendations favored by the Executive Board of the Association have been executed. All entries that were in the files of the American Association of Law Libraries Exchange for more than two years, have been returned to the originating libraries. All entries for materials other than texts, monographs, treatises, legal periodicals (including law review and bar association publications, other than proceedings) and United States Government documents, have also been returned to the originating libraries.

Despite the circumscribing of the classes of materials handled by the American Association of Law Libraries Exchange, the files contain listings for a great quantity of valuable materials. Law libraries with limited book funds could, if they chose, use the American Association of Law Libraries Exchange to great advantage.

Respectfully submitted,
Vincent E. Fiordalisi, Chairman
Riley Paul Burton
A. Mercer Daniel
Arie Poldervaart
Mortimer Schwartz

#### REPORT OF THE FOREIGN LAW COMMITTEE

One of the major projects with which the Foreign Law Committee has concerned itself is the question of an international index to legal periodicals.

Investigations concerning the expansion of the Index to Legal Periodicals so that it would include the indexing of foreign legal periodicals have determined that such an expansion is not feasible as otherwise the subscription price of the Index to Legal Periodicals would have to be raised very considerably.

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The Committee, then, investigated possibilities of publishing an index to foreign legal periodicals with the cooperation of the Processing Department of the Library of Congress. Although the latter department expressed considerable interest in such a project, almost insurmountable difficulties were experienced when the expense and supervision of the editorial work were considered. We therefore investigated ways and means of giving our assistance to foreign endeavors

which are directed toward the publications of an international index to legal periodicals. The Committee has inquired from Service de Législation Etrangère of the Ministère des Affaires Etrangères et du Commerce Exterieur in Brussels, which is the publisher of an international index to legal periodicals called Documentation Juridique Etrangère, whether the Service would be interested in having our cooperation for the adoption of a subject list and other standards of editorial technique which would be similar to those employed in the Index to Legal Periodicals so that the Belgian publication would become more useful. Negotiations with the Service are pending and promise at least limited success

We have also suggested to the Steering Committee of the Coordinating Committee on Documentation in the Social Sciences in Great Britain to look into the possibility of promoting the project of an international index to legal periodicals for the reason that the Coordinating Committee has expressed its anxiety to assist any plans which concern legal documentation on an international scale. Negotiations with this Committee are pending.

The Chairman of the Foreign Law Committee has also served as a member of the Committee of Digest of Foreign Law Cases in the American Journal of Comparative Law.

The Foreign Law Committee has continued to assist the Membership Committee in interesting foreign law librarians and book dealers in becoming members of the Association. It is suggested that next year's Committee continue the work of this year's Committee and also turn its efforts toward the possibility of increasing the number of foreign subscriptions to the Law Library Journal on the part of non-members.

William B. Stern, Chairman Joseph L. Andrews Margaret E. Coonan K. Howard Drake Helen Hargrave Helen Newman Kurt Schwerin

#### REPORT OF THE COMMITTEE ON INDEX TO LEGAL PERIODICALS

The Committee is pleased to be able to report that the *Index* is in a very healthy condition. It is, perhaps, a better tool for legal research than it has ever been before, thanks to the efforts of former members of the Committee and our editors, and its financial position is again greatly improved.

The current contract for the publication of the *Index* by the Wilson Company was dated January 2, 1950; it was to continue in effect until July 31, 1952 and unless terminated by written notice, would be automatically renewed for three years until July 31, 1955. It was so renewed. A copy of the contract appears as an appendix to the report of this Committee, in 43 Law Library Journal 168 (1950).

It may be of interest to the members of the Association to compare the year-end balances as shown by the financial reports of the H. W. Wilson Company for the last few years. At the end of the year 1948-9 there was a deficit of \$4,938.17, after an advance of \$2,015.64 had been made by the Company. This deficit had been brought about by increases in the size of current issues and of the 1949 bound volume, which, in turn, were the result of an increase in the number and size of periodicals indexed and of fuller indexing. A bi-monthly publication schedule which is still being followed, was then adopted, with the January and July issues as the only cumulative ones, and the size of each issue was reduced to a maximum of eighty pages. In the year 1949-50, after a \$2,000 advance, there was a credit balance of \$176.19. In the next year, after advances amounting to \$4,500 the credit balance was \$4,375.80. In the year ending with the 1952 three-year volume, after an advance of \$1,500 there was a credit balance of \$10,589.10. A somewhat smaller credit balance is expected for the current year. On the other hand, for the first time in five or six years no advance from the H. W. Wilson Company will be required. The Committee last year recommended

on the advice of the Company, that a revision of subscription rates should be made in the year 1952-53, the last previous one having been made in 1948. This recommendation has been carried out. A subscribers' checklist was sent out early in 1953 and new rates have been set based on holdings shown and on estimated annual costs for the three-year period 1953-56.

In stressing the need for a new rate revision, Mr. Haycraft, of the H. W. Wilson Company, wrote: "Among the factors which make this procedure necessary despite the favorable nature of the present statement (the financial report for the year ending with the July 1952 three-year volume) are: the increased editorial salaries authorized by your Executive Board at Toronto, the indexing of a larger list of periodicals in the current volume, the diminishing revenue from back volume sales, the very limited growth in subscription sales that can be expected in the future, and the continued trend toward higher printing costs which is only partly reflected in the present statement."

Circulation increased between March 1952 and March 1953 by thirty-four subscriptions, from 818 to 852. Almost all of the new subscriptions were at the minimum rate, a fact which would indicate that we must rely on old subscribers for the *Index* income.

It was decided at the July 1952 meeting of the Committee that thirty periodicals which had not previously been indexed, should be indexed and that eleven which had been on the list, should be dropped. During the year, one of those added was dropped and three new ones were added. It has been suggested that a number of those now included in the list might be taken out of it, as being too specialized, not really legal periodicals, too localized or of small substantial value. No foreign language periodicals have been added. New periodicals are being indexed from the beginning of their current volumes. Committee members have now come to the conclusion that changes in coverage should be made only after the publication of an annual or three-year cumulation. This whole matter of coverage will be further considered at the Committee meeting at Los Angeles.

Miss Iris V. Azian, who had been Executive Editor of the *Index* since September 1950, resigned in August 1952. We were fortunate indeed in having as her successor Miss Dorothea Flaherty who had been her assistant since October 1, 1951. Miss Florence Garmon succeeded Miss Flaherty as Assistant Editor.

A suggestion has been made, that is favored by some of the Committee members, that the Index should be printed in six-point type which is used in other Wilson indexes, such as the Readers' Guide to Periodical Literature. A change to this type would result in a 20 or 25 percent saving of space, which may be needed when a revision of subject headings has been made and the number of cross-references is increased. The Committee makes no recommendation now as to this, but would like to have it discussed by the Association members. In any case, such a change would not be made until the completion of the current three-year period.

A subcommittee worked on the problem of revising subheadings in the year 1948-9. Miss Benyon has carried on since 1950 and has been Chairman of a subcommittee on the subject this year, the other members being Miss Helen Snook and Mr. Earl Borgeson. A great deal of preliminary work has been done and it is hoped that from Miss Benyon's memoranda and comments by the members of the Committee and answers to her questionnaires, it may be possible to submit to the meeting at Los Angeles certain recommendations as to policy, after which the actual revision of subject headings may be proceeded with. Already, working papers on the breakdown of subjects and the location of the separate indexes now at the back of the Index, have been sent out by Miss Benyon and considered by the members of the Committee. These are to be followed by working papers on the use of some special types of headings, such as names of individual acts, names of countries, etc., on when any changes

should be incorporated in the *Index*, and on the question of whether or not a list of the subject headings used should be published.

The Committee wishes to express its appreciation to the Executive Editor and her assistant for their fine work throughout the year and to Professor John M. Maguire, our consulting editor, for his very valuable advice. The Chairman in particular wishes to thank Miss Flaherty and Mr. Haycraft—now the President of the H. W. Wilson Company—for their very prompt and always satisfactory answers to all his inquiries.

Respectfully submitted,
George A. Johnston, Chairman
Elizabeth V. Benyon
Harry Bitner
Earl C. Borgeson
Thomas S. Checkley
Helen Newman
Helen A. Snook

## REPORT OF THE COMMITTEE ON LAW LIBRARY JOURNAL

Change seems to have been the keynote of the past year's Journal activities. Last July the Executive Board accepted the resignation of Bernita J. Davies as editor and appointed William B. Stern, of the Los Angeles County Law Library, to that position effective in February, 1953. The editorship of the Journal has, therefore, been divided during the period covered by this report with the former editor being in charge of the August and November issues and Mr. Stern in charge of those for February and May. A change in printers should also be noted; for, beginning with volume 46, the William Byrd Press, Inc., of Richmond, Va., was chosen from a number of bidders to assume the responsibility of printing and mailing. In addition the organization of the Committee was altered to some extent. In the past the editor has been also Chairman of this Committee. That is no longer true, although the editor continues to keep in close contact with the Committee which, in turn, retains its function of giving aid and advice to the editor.

From all indications the changes were beneficial. The appointment of the editor in July to become effective in February allowed time for organization and planning, the results of which have been evident in the last two fine issues. The Byrd Press has provided an attractive format for the Journal and carried out its part of the venture in a businesslike way. Although the cost of printing is now more than we have paid in the past, the results would seem to justify the expenditure. Certainly, the new editor and the new printer together have given us an improved Journal and one minus the irritation which sometimes accompanies tardy delivery.

For the past several years, as the work of the Association has increased, the Proceedings issue of the Journal has grown correspondingly larger. This year's issue of 296 pages of Proceedings reached a new high. Both the Committee and the editor agree that consideration should be given to means whereby some of the material would be abstracted, or eliminated or, perhaps, printed in other issues throughout the year. Cost of printing is, of course, a vital factor as is also the unduly burdensome editorial work involved. The problem will be presented to the Executive Board at its meeting in Los Angeles.

Your Committee also has been asked to make plans for a cumulated index for the Journal. Discussion has centered around the question of need for a new index for the sake of uniformity and thoroughness, instead of the accumulation of those already compiled. As no decision on that matter has been reached, this report must be considered one of progress only, with regard to that item.

Respectfully submitted, Bernita J. Davies, Chairman Jean Ashman Dillard S. Gardner Helen Hargrave George A. Johnston Lawrence Keitt Carroll C. Moreland

#### REPORT OF THE COMMITTEE ON MEMORIALS

Your Committee has the solemn duty of reporting the names of those members who have been removed by death from association with us.

This year a change was inaugurated in the method of preparing the memorials and providing for their publication. It was thought best to have the memorial written by someone who was closely associated with the deceased and that it be published in the next following issue of the Law Library Journal and that the Committee include in its annual report the names of the deceased and the date of the issue of the Law Library Journal in which the memorial appeared. So, accordingly your Committee reports the following deaths among our membership during the year 1952-53, as follows:

GAMBLE JORDAN, Librarian of the Law Library Association of St. Louis, who died on July 24, 1952. His memorial was prepared by Mr. S. Raymond Dyer and published in 46 Law Library Journal 32 (February, 1953).

ROBERT OWEN, formerly Librarian of the San Francisco Law Library, who died on October 13, 1952. His memorial was prepared by Mr. S. J. Hugh Allen and published in 46 Law Library Journal 31 (February, 1953).

HARRY FRANK, of the Library of the Association of the Bar of the City of New York, who died on October 6, 1952. His memorial was prepared by Mr. Sidney B. Hill and published in 46 Law Library Journal 34 (February, 1953).

J. J. LUNSFORD, Librarian, Central Law Library, County Court House, Tampa, Florida. The Chairman wrote a letter to the Librarian, Central Law Library, Tampa, Florida asking that a memorial be prepared by some one who knew him well.

Respectfully submitted,
A. Mercer Daniel, Chairman
Harold J. Bowen
Margreta A. Hughes
Lewis W. Morse
Elizabeth H. Newton

## REPORT OF THE COMMITTEE ON NEW MEMBERS

Your Committee is gratified to report that as a result of an intensive drive for new members, the following memberships have been obtained during the report year: 21 active members, 7 associate members, 7 institutional members, and 18 additional designations by institutional members. 1 application for institutional membership is pending.\*

Your Chairman was asked by Mr. Drummond, our President, to head this Committee for the second year. The full Committee, organized in November 1952, consisted of nineteen members including the Chairman, five serving for the second year and fourteen new appointees. The Committee members were chosen from all sections of the country.

The list of membership prospects totalled over 800; but from our experience of last year we knew that many staff members listed in Law Libraries in the United States and Canada-1952 were non-professionals, neither qualified for, nor interested in, membership. In order to limit our campaign to professional personnel interested in joining the Association, we followed a suggestion made by Mr. Drummond: the Chairman sent out questionnaires with covering letters to all law libraries listed in Law Libraries in the United States and Canada-1952 as having a staff of three or more who were not members of the Association.

I regret to inform you that only sixteen law libraries saw fit to answer the questionnnaires. Twenty-five did not respond and perhaps I was the victim of "librarians' allergy" to questionnaires.

With the exception of the questionnaires, our procedure for circularizing the prospects was the same as last year: cutting up the directory and assigning a group of membership prospects to each Committee member, by states and larger cities. The Technical Processes Section of the New York State Library was again

\*The copy of the report which was filed with the Secretary of the Association, contains a complete list of the new members and data concerning the pending membership application. kind enough to print all our letters and questionnaires.

Mr. William B. Stern, Chairman of the Foreign Law Committee, aided us by soliciting the membership of a number of major law libraries in Mexico City; these letters were written in Spanish.

The Committee is also indebted to the officers of the Association for their cooperation in furnishing us with the necessary brochures, application blanks and letterheads and answering all our requests for information promptly.

The Chairman again wishes to express his personal thanks to all Committee members for their cooperation in bringing the campaign to a successful close.

## RECOMMENDATIONS OF THE COMMITTEE

1. The Committee repeats a recommendation made last year that there should be a Special Committee to conduct an "all out" drive for institutional membership.

2. Sending the same form letters accompanied by the same literature year after year to practically the same membership prospects is not the best approach for a successful campaign. The Committee recommends that especially in the larger cities where there is a greater concentration of good membership prospects, personal letters and personal solicitation be employed for greater effect.

3. One Committee member tried a new approach: "Personal letters and recent copies of the Law Library Journal were sent to a few prospects. The Journal has been so helpful to me in my work that I thought it might be a persuasive argument for joining the Association."

4. Another Committee member suggests: "I was surprised to realize that nowhere in the Law Library Journal can a prospective member find a schedule of dues. This is a serious oversight. We looked over two and a half years of the Journal and did not find any information about dues, types of membership or where to get application forms." This serious oversight has since been partially remedied as an examination of recent issues

will reveal. The Committee again emphasizes the importance of devoting space in every issue of the Law Library Journal to stressing the value of membership and listing types of memberships, dues and where to apply.

5. Local chapters of the Association should be utilized by having them appoint special membership committees to cooperate with the Committee on New Members in its membership campaign. Personal contacts made possible by the local chapters would be much more effective than the impersonal literature-bymail approach.

6. At all annual meetings of the Association, the members present should be apprised of the importance of the responsibility of every member to further the welfare of the Association by urging known membership prospects to join, and by informing the Committee on New Members of all new membership prospects.

Respectfully submitted, Ernest H. Breuer, Chairman Howard M. Adams Viola M. Allen **Dorothy Allport** Verna E. Baertschy Adeline J. Clarke Virginia E. Engle M. A. Fraser Paul Gay A. Elizabeth Holt Michalina Keeler Lena Keller John C. Leary Robert W. Lewis Harrison MacDonald Edgar T. Mengarelli Lois G. Moore William D. Murphy Bertha M. Rothe Francis B. Waters

## REPORT ON THE COMMITTEE ON LOCAL ARRANGEMENTS

The activities of the Committee are necessarily concerned with the preparation of the Annual Meeting. To this ef-

fect, arrangements were made with the Statler Hotel in Los Angeles for the accommodation of the convention participants, for meeting rooms and the Opening Luncheon, Social Evening, Cocktail Party, Annual Banquet and Closing Luncheon. The Statler Hotel management committed itself to furnish rooms in all price ranges and to provide a sufficient number of single rooms. Upon request, members were furnished with a mimeographed list of hotels offering accommodations in price ranges other than those of the Statler Hotel. The Committee arranged also for the facilities required for meetings outside of the Statler Hotel, such as meeting places, transportation and meals as well as for recreational events. Negotiations were conducted with the sponsors of convention events and arrangements were made for convention registration and ticket books. A convention budget was drafted, a reporter who specializes in convention reporting was employed and a photographer was authorized to take pictures during the Annual Banquet. The cooperation of the local Chamber of Commerce was solicited and information concerning the Annual Meeting was furnished to the local press.

In January, a mimeographed letter and descriptive literature were sent to all members, with information concerning the convention program, hotel and travel information and the like. In April, a reminder notice concerning hotel reservations was mailed. In May, another mimeographed letter was sent to the members with information concerning the registration fee, individual convention expenses and additions to the program.

William B. Stern, Chairman Charles W. Armstrong Margaret S. Brosnan Robert A. Farron John W. Heckel Frances Holbrook Helen Jane Jones Carleton W. Kenyon Lester D. Lopez Louis Piacenza

## REPORT OF THE NOMINATING COMMITTEE

Your Committee reports the nomination of the following for the year 1953-54.

For President-Elect—Marian Gallagher, Law Librarian, University of Washington, Seattle, Washington.

For Secretary—Frances Farmer, Librarian, University of Virginia Law Library, Charlottesville, Virginia.

For Treasurer—Elizabeth Finley, Librarian, Covington and Burling, 701 Union Trust Building, Washington, D.C.

For the Executive Board (one to be elected):

Harry Bitner, Associate Librarian, Columbia University Law Library, New York, New York.

Dennis Dooley, Librarian, Massachusetts State Library, Boston, Massachusetts.

The Committee believes that it would be a more democratic procedure and in line with the practice of similar organizations to nominate more than one person for the office of President-Elect, and accordingly recommends that a Special Committee be appointed to revise Section 1 of Article III of the By-Laws so that it would be permissive for future nominating committees to present two names for that office.

> Respectfully submitted, Bernita J. Davies, Chairman Doris R. Fenneberg Harriet L. French Dillard S. Gardner James H. Tibbetts

#### REPORT OF THE COMMITTEE ON STATE BAR ASSOCIATION PUBLICATIONS

The Committee made its usual annual survey by submitting questionnaires to the Secretaries of the State Bar Associations. Some of the incomplete data returned was supplied by a search of the primary sources by the Committee.

#### ALABAMA:

The Alabama State Bar Association usually holds its annual meeting in July.

Thomas B. Hill, Jr., is President. The proceedings are published; the latest are those of the 75th annual meeting held in

July 1952.

The ALABAMA LAWYER, a quarterly published by the Association, is obtainable from Walter B. Jones, Editor, P.O. Box 708, Montgomery 1, Alabama. The subscription rate is \$3.00 per year. The latest issue is v. 14, no. 1 (January, 1953).

#### ARIZONA:

No response.

#### ARKANSAS:

The Bar Association of Arkansas is located at 821 Pyramid Life Building, Little Rock, Arkansas. A. F. Triplett is President and Maurice Mitchell, Secretary. It holds its annual meetings in May and publishes its proceedings. The first volume was published in 1900. Since 1947 they have been published in the ARKANSAS LAW REVIEW AND BAR ASSOCIATION JOURNAL, the last being vol. 6 (1952). This publication is distributed to members without charge. Others may obtain it from the Law School, University of Arkansas, Fayetteville, Arkansas, at \$3.00 per year.

#### CALIFORNIA:

The State Bar of California, a governing body rather than an association, is located at 2100 Central Tower, 703 Market Street, San Francisco 3, California. Charles E. Beardsley is President and Jerold E. Weil Secretary. Annual meetings are held in the fall and the proceedings were published in bound volumes from 1928-1941 and from 1946-1950. Prior to 1928, the California Bar Association met annually and published proceedings from 1910 to 1927 inclusive.

The STATE BAR JOURNAL was published by the California Bar Association from its inception in 1926 to v. 2, no. 5 (November, 1927) inclusive. Its publication was then taken over by the State Bar of California, which retained the original title until v. 17, no. 3 (March-April, 1942), with which issue the title

was changed to the JOURNAL OF THE STATE BAR OF CALIFORNIA. It is a bi-monthly and the current issue is v. 28, no. 1 (January-February, 1953). This publication is free to members and \$1.00 per annum to non-members. It is obtainable from the State Bar of California, Office of Publications, at the above address.

The Los Angeles Bar Association is located at 510 South Spring Street, Los Angeles 13, California. W. I. Gilbert, Jr. is President and William P. Gray Secretary. The Association holds annual meetings in February but does not publish proceedings. It publishes the LOS AN-GELES BAR BULLETIN, a monthly first issued in 1925; the latest is v. 28, no. 7 (April, 1953). It is free to members and \$1.00 per annum to others. In the past year the Association published two pamphlets, When to Employ an Attorney and An Hour of Prevention-When to Employ an Attorney. A limited number are available for free distribution.

The Bar Association of San Francisco is located at 2100 Mills Tower, San Francisco 4, California. Gerald S. Levin is President and A. Brooks Berlin Secretary. It meets annually in January but does not publish proceedings. It publishes the BRIEF CASE, a bi-monthly started in 1950; the current issue is v. 3, no. 2 (March, 1953). It is free in limited numbers.

#### COLORADO:

The Colorado Bar Association is located at 702 Midland Savings Building, Denver, Colorado. Jean S. Breitenstein is President and Terry J. O'Neill Secretary.

The Association holds its annual meeting in the fall. DICTA is the joint publication of the Colorado Bar Association, the Denver Bar Association, and the University of Denver College of Law. DICTA was first published in 1928. It is distributed free to Bar Association members and University of Denver law students. It is available at a subscription cost of \$3.00 per year from DICTA, 319 Chamber of Commerce Building, Denver 2, Colorado.

The Association also publishes weekly an Advance Sheet of Colorado Supreme Court Opinions which is distributed free to members. It is available to non-members at \$15.00 per year.

The proceedings of annual meetings were published in full as the COLO-RADO BAR REPORTS from 1847 to 1940. The last one published was volume 43 (1940). At the present time the proceedings are not published in full; however, an annual report containing a directory of members, a list of new committees, and a summary of activities, is distributed to members.

#### CONNECTICUT:

The State Bar Association of Connecticut is located at Room 408-A, County Building, 95 Washington Street, Hartford, Connecticut. David Goldstein is President and Donald E. Cobey Secretary. Annual meetings are held in October and the proceedings are published in the CONNECTICUT BAR JOURNAL. The 1952 Proceedings appear in the Journal v. 26, no. 4. The subscription rate is \$4.00 per year; \$1.00 per number.

#### DELAWARE:

The Delaware State Bar Association, 228 Delaware Trust Building, Wilmington, Delaware, holds its annual meeting in October, but has not published its proceedings since 1941. Edwin D. Steel, Jr., is President and Edward W. Cooch, Jr., Secretary. No other publications are issued by the Association.

#### FLORIDA:

The Florida Bar, integrated in 1950, is located at the Supreme Court Building, P.O. Box 1226, Tallahassee, Florida. Homer C. Fisher is President and Sallye E. Cooksey Secretary. It holds its annual meeting in April and publishes its proceedings in the FLORIDA LAW JOURNAL. The first proceedings were published in the JOURNAL, v. 24; the latest in v. 26, no. 7 (July, 1952). The JOURNAL is distributed to members without charge and is available to others from the FLORIDA LAW JOURNAL, Center Building, Tallahassee, Florida at \$5.00 per year.

#### GEORGIA:

The Georgia Bar Association is located at 414 Persons Building, Macon, Georgia. William Butt is President and Mrs. Grant Williams Executive Secretary. It holds its annual meeting in May or June and publishes its proceedings. The first volume published was for the year 1884; the latest is v. 69 (1952). This publication is distributed without charge to members and is available to others at \$2.50.

The Georgia Bar also publishes the GEORGIA BAR JOURNAL, a quarterly. It was first published in 1938 and the latest number is v. 15, no. 3 (February, 1953). It is distributed without charge to members and is available to others at the subscription price of \$3.00 per volume from the Association.

#### IDAHO:

The Idaho State Bar is located at 309 Idaho Building, Boise, Idaho. Robert E. Brown is President and Paul B. Ennis Secretary. The annual meeting is held in July and the proceedings have been published since 1926. The latest is v. 26 (1952). The proceedings are free to members and there is a limited free distribution through the Secretary to non-members.

The Idaho State Bar also publishes the IDAHO STATE BAR NEWS BULLE-TIN, a monthly first published in February, 1952. The current issue is v. 2, no. 1 (February, 1953). It is free to members and there is a limited free distribution to non-members upon request.

#### ILLINOIS:

The Illinois State Bar Association is located at 319 South Sixth Street, Springfield, Illinois. Thomas J. Welch is President and Deneen A. Watson Secretary. It holds annual meetings in June and published its proceedings as such from 1877 to 1939. Since that date they have been published in the ILLINOIS BAR JOURNAL.

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The ILLINOIS BAR JOURNAL is a monthly published by the Illinois State Bar Association since 1911. The latest volume is v. 40 (1951-52). The subscription price is \$2.00 per year or \$3.50 for bound volumes; distribution is free to members.

#### INDIANA:

The Indiana State Bar Association is located at 749 Bankers Trust Building, Indianapolis 4, Indiana. Perry E. O'Neal is President and C. Severin Buschmann, Jr., Secretary. The Association meets annually in July and publishes its proceedings in condensed form in the INDIANA LAW JOURNAL. The latest issue of the JOURNAL is v. 28, no. 2 (Winter, 1953). The JOURNAL is free to Association members and to others the subscription rate is \$4.00 per year, \$1.50 per copy. It is obtainable from the INDIANA LAW JOURNAL, Bloomington, Indiana.

#### IOWA:

The Iowa State Bar Association is located at 1101 Fleming Building, Des Moines, Iowa. E. W. McNeil is President and Edward H. Jones Secretary. Annual meetings are held in May or June and the proceedings have been published since 1874. The subscription rate is 50 cents per copy, with free distribution to members.

The Association has also published a monthly, the NEWS BULLETIN, since December 1940. The current issue is v. 13, no. 3 (March, 1953). The subscription rate is \$1.50 per year, with free distribution to members.

#### KANSAS:

The Bar Association of the State of Kansas is located at 522 Garlinghouse Building, Topeka, Kansas. Beryl R. Johnson is President and John W. Shuart Executive Secretary. Annual meetings are held in May and the proceedings are published in the JOURNAL OF THE BAR ASSOCIATION OF THE STATE OF KANSAS. Proceedings of the 70th Annual Meeting appear in the JOURNAL, v. 21, no. 1 (August, 1952). The subscription rate is \$8.00 per year; single copies \$2.00, when available.

#### KENTUCKY:

The Kentucky State Bar Association is located at the Court of Appeals, Frankfort, Kentucky. T. B. McGregor is President and H. H. Harned Secretary. Annual meetings are held in April; but the proceedings are not published. Since December, 1936 the Association has published the KENTUCKY STATE BAR JOURNAL, a quarterly. The subscription rate is \$2.00 per year, with free distribution to members.

#### LOUISIANA:

The Louisiana State Bar Association is located at 522 Godchaux Building, New Orleans, Louisiana. Richard B. Montgomery, Jr., is President and Robert E. LeCorgne, Jr., Secretary. The last annual meeting was held in April 1953. The Association publishes THE LOUISIANA BAR, a quarterly. The latest issue is v. 12, no. 2 (April, 1953).

#### MAINE:

The Maine State Bar Association is located at Depositor's Trust Building, Augusta, Maine. Thomas N. Weeks is President and Herbert E. Locke Secretary. The Association holds its annual meeting in August and publishes its proceedings for distribution to members only. Its proceedings were first published in 1892, and the latest issue is v. 41 (1952).

#### MARYLAND:

The Maryland State Bar Association is located at 1012 Mercantile Trust Building, Baltimore 2, Maryland. Edward H. Burke is President and S. Vannort Chapman Secretary. It holds its annual meeting in June and publishes its proceedings. The first volume published was in 1896; the latest is v. 57 (1952). Distribution is free to members and available to others by exchange from the Secretary or The Library Company of the Baltimore Bar, 618 Court House, Baltimore 2, Maryland.

The Bar Association of Baltimore City meets annually in December, but does not publish its proceedings.

#### MASSACHUSETTS:

The Massachusetts Bar Association is located at 15 Pemberton Square, Boston 8, Massachusetts. The President is Samuel P. Sears and Frank W. Grinnel is Secretary. The Association holds its annual meeting in May or June. Proceedings were published in bound volumes from 1910 to 1915. Since then they have been published in the MASSACHUSETTS LAW QUARTERLY, the latest issue of which is v. 37, no. 1 (April, 1953). Distribution is free to members and libraries.

The Boston Bar Association is located at 35 Court Street, Boston, Massachusetts. Sumner H. Babcock is President and Richard Bancroft Secretary. The Association holds its annual meeting during the first week of May and its proceedings are published in the July issue of the BOSTON BAR BULLETIN. The latest issue is v. 24, no. 4 (April, 1953). Distribution is free to members, with limited free distribution by subscription.

#### MICHIGAN:

The State Bar of Michigan is located at 412 Olds Tower, Lansing 8, Michigan. David C. Pence is President and Milton E. Bachmann Executive Secretary. The Association holds its annual meeting in the fall. The proceedings are not published; but the advance program and committee reports appear in the MICHI-GAN STATE BAR JOURNAL, official monthly publication of the Association. The 1952 meeting is outlined in the JOURNAL, v. 31, no. 9 (September, 1952). Subscription rate is \$5.00 per year through the MICHIGAN STATE BAR JOURNAL, 104 Depot Street, Lansing, Michigan.

The Detroit Bar Association is located at 577 Penobscot Building, Detroit 26, Michigan. Frederick McGraw is President and Stella Demchak Secretary. It holds its annual meeting in May and publishes its proceedings in the DETROIT LAWYER. The first volume was published in May, 1946; the latest is v. 21, no. 4 (April, 1953). This publication is distributed without charge to members. It is obtainable from

Roy C. Hayes, 1963 Penobscot Building, Detroit, Michigan at a yearly cost of \$3.50.

#### MINNESOTA:

The Minnesota State Bar Association is located at 500 National Building, Minneapolis 2, Minnesota. E. L. Gruber is President and Bert A. McKasy Executive Secretary. The Association holds its annual meeting in June. The proceedings are published in summary form in the BENCH AND BAR OF MINNESOTA: the latest (1952) proceedings appear in v. 9, no. 10 (September, 1952). The BENCH AND BAR was first published in December, 1943; the latest issue is v. 10, no. 5 (April, 1953). It is distributed without charge to members; to others the subscription rate is \$4.80 per year.

The Hennepin County Bar Association is located at 1460 Northwestern Bank Building, Minneapolis, Minnesota. Gerhard Sonnesyn is President and Lauress V. Ackman Secretary. Annual meetings are held in May and the proceedings are published in the HENNEPIN LAWYER. The latest issue is v. 21, no. 6 (March, 1953). This publication is distributed free to members and to limited non-members. It will be offered upon a subscription basis next year through the Association.

#### MISSISSIPPI:

The Mississippi State Bar is located at New Capitol, Box 1032, Jackson, Mississippi. The Honorable Charles B. Snow is President and Mrs. Alice Nevels Secretary. It holds its annual meeting in June and has published its proceedings since 1906. From 1928 to date they have been published in the MISSISSIPPI LAW JOURNAL, a quarterly. The last proceedings are in v. 24, no. 1 (December, 1952). The JOURNAL is distributed free to members. Others may obtain it from the MISSISSIPPI LAW JOURNAL, University, Mississippi, at \$4.00 per year.

#### MISSOURI:

The Missouri Bar, Integrated, Official Organization of All Missouri Lawyers, is located at 223½ East High Street, Jefferson City, Missouri. Lynn M. Ewing is President and Russell H. Doerner Secretary. The organization publishes the JOURNAL OF THE MISSOURI BAR, a monthly. The latest issue is v. 9, no. 4 (April, 1953). The subscription price is \$6.00 per year.

#### MONTANA:

The Montana Bar Association is located at Helena, Montana (P.O. Box 906). H. Cleveland Hall is President and Dan R. Lovelace Secretary. The Association usually holds its annual meeting in August. The proceedings are not published currently; the latest available are those for 1947, which were distributed free to members only.

An occasional symposium or pamphlet is prepared by a committee for free distribution to members and interested parties. None are available of those heretofore published.

#### NEBRASKA:

The Nebraska State Bar Association is located at 2413 State House, Lincoln, Nebraska. Laurens Williams is President and George H. Turner Secretary. The Association holds its annual meetings in October or November. The proceedings were published separately from 1900 to 1950.

They are now published in the NE-BRASKA LAW REVIEW; those of the 53rd annual meeting are in v. 32, no. 2 (January, 1953). The REVIEW is the joint publication of the Association and the College of Law, University of Nebraska. The current issue is v. 32, no. 3 (March, 1953). It is distributed without cost to members and is available on exchange from the University of Nebraska.

#### NEVADA:

The State Bar of Nevada held its 25th Annual Meeting in January, 1953. It publishes its proceedings in the NEVADA STATE BAR JOURNAL. The current issue is v. 18, no. 1 (January, 1953). It may be obtained for \$3.00 per year from the

JOURNAL, No. 1, Masonic Building, Reno, Nevada.

#### NEW HAMPSHIRE:

The Bar Association of the State of New Hampshire is located at 39 North Main Street, Concord, New Hampshire. Robert E. Earley is President and Willoughby A. Colby Secretary. The Association holds its annual meeting in June. The published proceedings are available at \$2.00 each from the New Hampshire. State Library, Concord, New Hampshire. Distribution is free to members. The proceedings were first published in 1895; the latest issue is v. 8, no. 4 (1948-1949).

#### NEW JERSEY:

No response.

#### NEW MEXICO:

The State Bar of New Mexico is located at Santa Fe, New Mexico. Robert W. Botts, Albuquerque, is President and Lowell C. Green, Supreme Court Building, Santa Fe, is Secretary. It holds an annual meeting in October and has published its proceedings since 1910. The latest issue is that of December, 1952. Distribution is free to members only.

The SECRETARY'S LETTER is published by the Secretary at no regular publication date. The first issue was in 1910; the latest is v. 10, no. 4 (December, 1952). Distribution is free to members only.

#### NEW YORK:

The New York State Bar Association is located at 99 Washington Avenue, Albany 10, New York. Franklin R. Brown is President and Chester Wood Secretary. The Association usually holds its annual meeting during the last week of January. The proceedings were first published in 1877; the latest issue is v. 75 (1952). Distribution is free to members and the cost to non-members is \$2.25 per copy.

The Association publishes the NEW YORK STATE BAR ASSOCIATION BULLETIN. It was first published in 1928; the latest issue is v. 25, no. 1 (February, 1958). It is a bi-monthly publica-

tion distributed free to members and available to others at \$.25 per copy.

The Association also publishes the LAWYERS SERVICE LETTER and the NEW YORK STATE BAR ASSOCIATION CIRCULAR, both of which are distributed free to members.

The publications listed above are available from the Association at the above address.

The New York County Lawyers' Association is located at 14 Vesey Street, New York 7, New York. Edwin M. Otterbourg is President and Thomas Keogh Secretary. The Association holds its annual meeting in May and has published its proceedings since 1909 in the ANNUAL YEARBOOK. The last volume is No. 43 (1952). Distribution is free to members and under certain conditions exchange arrangements are possible.

The Association also publishes the BAR BULLETIN, issued five times yearly since May, 1943. The latest issue is v. 10, no. 5 (March, 1953). It is available to non-members only by special arrangement.

#### NORTH CAROLINA:

The North Carolina Bar Association is located at Raleigh, North Carolina. J. Spencer Bell is President and Edward L. Cannon Secretary. It usually holds its annual meeting in October. The first volume of proceedings was published in 1899; the latest issue includes volumes 46-50 (1944-48).

It is available to members without charge and may be obtained from the Secretary.

The North Carolina State Bar Association, incorporated in 1933, meets annually in October. Published proceedings were discontinued with v. 10 (1943). It now has a section in the NORTH CAROLINA LAW REVIEW called *The North Carolina State Bar*. This section was first published in v. 15 (1936-37); latest is in v. 30 (April, 1952).

The NORTH CAROLINA LAW RE-VIEW is published quarterly by the Law School, University of North Carolina, Chapel Hill. The subscription rate is \$4.00 per year.

#### NORTH DAKOTA:

The State Bar Association of North Dakota, Box 327, Grand Forks, North Dakota, holds its annual meeting in August or September. E. T. Conmy, Sr., is President and Ronald N. Davies Executive Secretary. The proceedings were first published in 1923 in the NORTH DAKOTA BAR BRIEFS. Currently they are published in the NORTH DAKOTA LAW REVIEW; the latest are in v. 28, no. 4 (October, 1952). The REVIEW is distributed free to Association members and is available to others at the subscription cost of \$3.50 per year.

Other publications issued by the Association during the last year were Handbook for Jurors, Title Examinations, and Do You Need a Will? These are distributed free of charge to members and others.

#### OHIO:

The Ohio State Bar Association, State House Annex, Columbus 15, Ohio, holds its annual meeting in May. The Association has published the OHIO BAR REPORT, a weekly, since 1928. The latest issue is v. 26, no. 16. Subscriptions are \$8.00 per year, with free distribution to members. The LOCAL ASSOCIATION BULLETIN, cited "LAB", is mimeographed material published by the Bar Activities Committee of the Association and is distributed free to members.

The Cincinnati Bar Association, Room 400, Hamilton County Court House, Cincinnati 2, Ohio, meets annually in April, but does not publish its proceedings. In September, 1952 it started to publish a monthly, the JOURNAL OF THE CINCINNATI BAR ASSOCIATION. The current issue is v. 1, no. 8. Distribution is free to members.

The Cuyahoga County Bar Association is located at 802 Fidelity Building, Cleveland 14, Ohio. Fred H. Mandel is President and Leo E. Rattay Secretary. Since 1928 the Association has published a monthly, the CUYAHOGA COUNTY BAR BULLETIN. The latest issue is v. 25, no. 3. It is obtainable by subscrip-

tion, with free distribution to members.
The Toledo Bar Association, 218 Huron

The Toledo Bar Association, 218 Huron Street, Toledo, Ohio, meets annually in May, but publishes no proceedings. Fred Smith is President and Margaret E. Dean Executive Secretary. The TOLEDO BAR ASSOCIATION NEWSLETTER has been published bi-weekly since November, 1950. It may be obtained from the Executive Secretary. The Association also publishes the official Bar Directory of Lucas County, Ohio, at \$0.50.

#### OKLAHOMA:

The Oklahoma Bar Association is located at 827 American National Building, Oklahoma City, Oklahoma. Hicks Epton is President and Kenneth Harris Secretary. The Association meets in November. The proceedings are not published, but all important addresses, committee reports, and acts of policy are published in the OKLAHOMA BAR JOURNAL.

The OKLAHOMA BAR JOURNAL, a weekly containing the Supreme Court opinions, was first published by the Association in 1921. It is distributed free to members and is available to others at \$10.00 per year through the Association at the above address.

#### OREGON:

The Oregon State Bar is located at 400 Pittock Block, Portland 5, Oregon. Robert A. Leedy is President and Lew W. Karr Secretary. The Association meets annually in the fall. Proceedings are not published; but the committee reports appear in pamphlet form in advance of the convention.

The OREGON STATE BAR BULLE-TIN has been published monthly since November, 1941. The current issue is v. 13, no. 6 (March, 1953).

#### PENNSYLVANIA:

The Pennsylvania Bar Association is located at 401 North Front Street, Harrisburg, Pennsylvania. W. C. Sheely is President and Mrs. Barbara Lutz Executive Secretary. The Association meets twice yearly, in January and June. The proceedings were first published in 1895; the

latest issue is v. 58 (1952). They are distributed to members without charge and are available to others at \$3.00 per volume.

The Association also publishes the PENNSYLVANIA BAR ASSOCIATION QUARTERLY. It was first published in 1927; the latest issue is v. 24, no. 3 (April, 1953). It is distributed free to members and is available to others at \$2.00 per year.

#### RHODE ISLAND:

The Rhode Island Bar Association is located at 170 Westminster Street, Providence, Rhode Island. Colin MacR. Makepeace is President and James H. Higgins, Jr., Secretary. The Association holds its annual meeting on the second Monday in October. Publication of its proceedings was discontinued in 1929.

The RHODE ISLAND BAR JOUR-NAL, first published in October 1952, is a monthly publication available free upon request from Edwin H. Hastings, Esq., 1030 Hospital Trust Building, Providence, Rhode Island. The latest issue is v. 1, no. 7 (April, 1953).

#### SOUTH CAROLINA:

The South Carolina Bar Association is located at 1215 Washington Street, Columbia, South Carolina. Samuel L. Prince is President and Walter S. Monteith Secretary. The annual meeting is held in April or May. The proceedings were first published as TRANSACTIONS OF THE S.C. BAR ASSOCIATION in 1885. Since the 55th annual meeting (1949), the proceedings have been published in the June issue of the SOUTH CAROLINA LAW QUARTERLY. The latest published were in v. 4, no. 4 (June, 1952). Proceedings are available to members without charge. Subscription cost of the QUARTERLY is \$3.00 per year and it is available from the SOUTH CAROLINA LAW QUAR-TERLY, University of South Carolina Law School, Columbia, South Carolina.

#### SOUTH DAKOTA:

The South Dakota State Bar is located in the Capitol Building, Pierre, South Dakota. Julius Skaug is President, and Leo D. Heck Secretary. It holds its annual meeting usually in the fall and publishes its proceedings in the SOUTH DAKOTA BAR JOURNAL. The 1952 proceedings were published in v. 21, no. 2 (October, 1952). The JOURNAL is distributed without charge to members; to others the subscription price is \$4.00 per year.

#### TENNESSEE:

The Bar Association of Tennessee is located at 1003 Third National Bank Building, Nashville, Tennessee. Alfred T. Adams is President and John C. Sandidge Secretary. It holds its annual meeting in May and the proceedings are published in the TENNESSEE LAW REVIEW. The REVIEW is edited by the University of Tennessee, College of Law, Knoxville, Tennessee. The current issue is v. 22, no. 5 (December, 1952). The subscription rate is \$4.00 per year.

The Association started publication of the TENNESSEE LAWYER in August 1952. Distribution is free of charge.

#### TEXAS:

The State Bar of Texas is located at 930 Littlefield Building, Austin, Texas. J. Glenn Turner is President and William E. Pool Secretary. The Bar meets annually, usually shortly before or immediately after July 4. The proceedings were first published in 1882, founding year of the former voluntary Texas Bar Association. From 1923 to 1948 the proceedings were published in the TEXAS LAW RE-VIEW. Since August 1948, they have been published in the TEXAS BAR JOUR-NAL, currently appearing in the August issue. The TEXAS BAR JOURNAL is distributed without charge to members; to others the subscription price is \$4.00. It is available through the State Bar of

The Dallas Bar Association, 120 Court House, Dallas, publishes DALLAS BAR SPEAKS.

The Houston Bar Association, Civil Courts Building, Houston, issues an annual report.

The San Antonio Bar Association, Bexar County Courthouse, issues a publication entitled SUBPOENA.

#### UTAH:

No response.

#### **VERMONT:**

The Vermont Bar Association is located in Montpelier, Vermont. Ray Keyser is President and James S. Brock Secretary. The Association holds its annual meeting in October. The proceedings were first published in 1878 and the latest issue is v. 45 (1952). Distribution is free to both members and non-members upon request addressed to the Secretary, c/o National Life Insurance Company, Montpelier, Vermont.

#### VIRGINIA:

The Virginia State Bar Association is located at 601 North Lombardy Street, Richmond, Virginia. Fred B. Greear is President and William T. Muse Secretary. The Association holds its annual meeting in August. The proceedings were first published in 1888; the last issue is v. 63 (Association year 1951-1952). They are available from the Secretary at \$2.50 a volume.

The Virginia State Bar is located at 408 Law Building, Richmond 19, Virginia. B. Drummond Ayres is President and Russell E. Booker Secretary. The Association meets in April or May and has published its Annual Report since 1939. The latest issue is v. 14 (1952).

The Virginia State Bar also publishes the VIRGINIA BAR NEWS, a bimonthly. It was first published in January 1953 and the latest issue is v. 1, no. 2 (March, 1953). It is distributed to members without charge and to others at a cost of \$1.00 per year.

#### WASHINGTON:

The Washington State Bar Association is located at 501 Third Avenue, Seattle 4, Washington. Philip D. Macbride is President and Clydene L. Morris Executive Secretary. The Association holds its annual meeting in August or September and

publishes its reports in the WASHING-TON LAW REVIEW AND STATE

BAR JOURNAL.

The WASHINGTON STATE BAR NEWS has been published monthly by the Association since March 1947. The last issue is v. 7, no. 3 (March, 1953). It is free upon request from the Association.

#### WEST VIRGINIA:

The West Virginia Bar Association is located at 400 Union Building, Charleston, West Virginia. Ernest K. James is President and J. Ross Hunter, Jr., Secretary. The Association customarily holds its annual meeting in early fall. The proceedings were first published in 1886; the latest is v. 68 (February, 1953). They are distributed without charge to members and are available to others from the Secretary at \$2.50 per volume. The Association also contributes to the publication of the WEST VIRGINIA LAW RE-VIEW. The current issue of this quarterly is v. 55, no. 1 (December, 1952). It is distributed without charge to members. Subscriptions may be placed with the Law School of the West Virginia University, Morgantown, West Virginia.

#### WISCONSIN:

The Wisconsin Bar Association is located at 122 West Washington Avenue, Madison 3, Wisconsin. Oscar T. Toebaas is President and Philip S. Habermann Executive Secretary. The Association meets annually in June. Bound volumes of proceedings were published from 1878 to 1946 inclusive (v. 1-35); since then the proceedings have been summarized in the bi-monthly WISCONSIN BAR BULLE-TIN. The BULLETIN was first published in 1928; the latest issue is v. 26, no. 1 (February, 1953). It is distributed without charge to members, and is available to others at the subscription rate of \$4.00 per year.

The Milwaukee Bar Association is located at Room 825, Wells Building, Milwaukee, Wisconsin. Charles L. Goldberg is President and L. G. Barnes Secretary. Annual meetings are held in June, but the proceedings are not published. Offi-

cial publication of the Association is the GAVEL. The last issue is v. 14, no. 3 (April, 1953).

#### WYOMING:

The Wyoming State Bar Association, Box 2384, Casper, Wyoming, holds its annual meeting in August or September. Edward E. Murane is President and Robert B. Laughlin Secretary. The Association proceedings were published separately prior to 1937; they were unpublished from 1938 to 1946 inclusive; since 1946 they have been published in the fall issue of the WYOMING LAW JOUR-NAL. The JOURNAL was first published in 1946 and the current number is v. 7, no. 1 (Fall, 1952). It may be obtained from the Law School, University of Wyoming, Laramie, Wyoming. Distribution is free to members, but a charge is made to non-members, although it is possible to obtain it upon an exchange agreement with the University.

> Respectfully submitted, Ethel Kommes, Chairman Frances E. Bibik Robert J. Everson Catherine Stonaker Hibernia Turbeville Francis B. Waters Vera Woeste

#### REPORT OF THE JOINT COM-MITTEE ON COOPERATION BE-TWEEN THE ASSOCIATION OF AMERICAN LAW SCHOOLS AND THE AMERICAN ASSOCIATION OF LAW LIBRARIES

As an interim report, covering the past half-year's activities of the Joint Committee, major emphasis is given here to the current status of programs rather than to the policy factors, yet undecided, which will guide and influence future Committee conduct. This report contains, therefore, a description of the pending and the continuing projects, the former being at various stages of progress. Also included is an account of two studies which have been completed.

The August, 1952 issue of the Law Library Journal contains a chart of law school library statistics. This information was received in reply to a questionnaire prepared by Mrs. Marian G. Gallagher and was classified and edited by Miss Kate Wallach. The diversity of library data contained in this chart makes it a valuable source of comparative statistical information.

To inquire into the facilities and interlibrary loan practices of State, Supreme Court, law school and bar libraries, a questionnaire was addressed to them by the Committee on Cooperation with State Libraries and this Committee. Miss Dorothy Salmon directed this useful program for the Joint Committee, sending the questionnaire to 32 law school libraries (with book collections totalling 50,000 volumes or more) and five bar association libraries. The Directory of Interlibrary Loan Facilities of Law Libraries, appearing in the February, 1953 issue of the Law Library Journal, is the result of this cooperative effort.

Mr. Cyril L. McDermott plans to complete the study on the methods of teaching Legal Bibliography by early summer.

It will be of especial interest to law librarians to learn that Mr. Miles O. Price has agreed to prepare a Law Library Manual on standard and recommended law library practices. The assistance and advice of other experts will unquestionably be available to him upon request. However, this work will not be started until such time as Mr. Price has discharged prior commitments and feels free to undertake the preparation of the Manual.

In considering plans for a bibliography of American law, it appeared initially that decisions on classification would materially influence the nature and the scope of the publication. Therefore, to weigh these factors and influences, a round table on the classification of law was held at the December, 1952 meeting of the Association of American Law Schools. This meeting was capably presided over by Professor J. Willard Hurst of our Committee, with the issues being carefully drawn in a talk by Professor Jerome Hall. The questions raised by

Professor Hall were later commented upon by a distinguished panel of jurisprudents consisting of Professors Cavers, Fuller, McDougal and Rheinstein. Professor Hall's paper and the introductory remarks of the Chairman of the Joint Committee were later published in the Journal of Legal Education. The discussion clearly demonstrated the importance and the difficulties of the problem, seemingly leading to the conclusion that the basic bibliographic task lies less in classification and more in selection, particularly the problem of depth of penetration into non-legal materials. Interstitially, the fundamental need for a reassessment of law school activities, especially research, became apparent. However, a study so pervasive as to include the entire sphere of legal pedagogy and research obviously lies outside the interest and scope of this Committee. It seems to follow with equal force that the responsibility for the classification project should also rest elsewhere. But the interrelationship of these programs as well as their direction are questions vet to be decided.

An investigation into the possibility of formulating a uniform classification and pay plan for law school libraries, patterned after the American Library Association's Classification and Pay Plans for University Libraries, was initiated by this Committee in 1939. This study continued, in cooperation with a Special Joint Committee appointed by the A.A.L.S. and the A.A.L.L., until 1943. The two Committees collected data from 14 cooperating school libraries. Then, in 1941 they submitted findings to the Personnel Division of the American Library Association for the study and the formulation of a tentative plan by its technically trained staff. In 1943, the American Library Association reported that, to project a program, additional data and further conferences would be necessary. However, the advent of World War II forced the interruption of this program.

In 1952, the study was reactivated, at the request of interested librarians and school administrators, under a subcommittee headed by Mrs. Marian G. Gallagher. The new committee, recognizing

that the questionnaire devised by the American Library Association did not adequately cover law library problems, has been attempting to develop an instrument suitable for these purposes. If a satisfactory plan cannot be formulated, a decision to discontinue the program might then be in order. Mrs. Viola Bird, a student of law librarianship at the University of Washington, has been working on this project under the direction of Mrs. Gallagher. They plan to present a detailed analysis of the study to the Committee within a few months. If their report finds that the work should be continued and it is acceptable to the Committee, the assistance of the American Library Association personnel experts will again be sought.

The Subcommittee on Library Problems, with Mrs. Bernita J. Davies as Chairman, is cooperating with the Editor of the Law Library Journal in furnishing anonymous questions of general law library interest, with the Subcommittee's replies, for the Question and Answer Section of the Journal. The column is being edited by Mrs. Gallagher. All questions submitted are answered personally by the Subcommittee. Those of general interest, suitable for publication, are personally answered prior to their submission to the Editor of the Law Library Journal.

Respectfully submitted,
Ervin H. Pollack, Chairman
Bernita J. Davies
Helen Hargrave
Cyril L. McDermott
Kate Wallach
Marian G. Gallagher
J. Willard Hurst
Dorothy Salmon
Percy A. Hogan
Vernon M. Smith
Erwin C. Surrency
Eda A. Zwinggi

#### REPORT OF THE SPECIAL COM-MITTEE ON PUBLICATIONS

The Committee has concentrated its efforts this year on two projects: first, the revision and enlargement of the Check-

list of Current State and Federal Publications which appears in the Law Library Journal; and second, the launching of a monthly list of current publications as a supplement to the Current Publications section appearing in the Law Library Journal.

The revised and enlarged Checklist appearing in the May issue of the Law Library Journal carries, for the first time, attorney general reports and opinions, judicial council reports, and compilations of state administrative rules and regulations. Mr. William D. Murphy who agreed to undertake the compilation of the Checklist, has been working directly with libraries in the various states and with publishers in order to make the list accurate and up-to-date. It is hoped that the Checklist as revised will be valuable to law libraries.

Current Publications in Legal and Related Fields made its appearance on April 15, 1953 with the endorsement of the American Association of Law Libraries as approved by the Executive Board of the Association. A non-profit publication compiled by Miss Dorothy Scarborough, Miss Katharine B. Day and Miss Pauline A. Carleton, with Mr. Fred B. Rothman acting as business manager, it will appear monthly except for June, July and August. It is hoped that with the continued cooperation of libraries and publishers this list will develop into an increasingly useful service.

With the launching of this monthly list, the Executive Board of the Association notified the Committee that they had decided that beginning with the August issue of the Law Library Journal the Current Publications section therein should carry the listing by subject only.

There are two projects still to be considered by the Committee:

 Periodic cumulations of the Current Publications section in the Law Library Journal.

2. The inclusion in the listing now being done of additional current materials such as state administrative reports and opinions, bar association reports, etc.

It is recommended that the Committee be continued for the coming year in order to consider the possibility of carrying out the projects as set out above.

Respectfully submitted,
Dorothy Scarborough, Chairman
Jean Ashman
Harry Bitner
Caroline Brede
Georgina M. Broad
Pauline A. Carleton
Katharine B. Day
Marian G. Gallagher
William D. Murphy

#### REPORT OF THE REPRESENTA-TIVE OF A.A.L.L. ON A.L.A. COUNCIL

The American Library Association held its midwinter session at the Edgewater Beach Hotel in Chicago from February 3 to 7, 1953. No general meetings nor program sessions were planned. The Executive Board, the Council, various divisions, sections, boards, committees and round tables met to discuss work in progress, to consider additional activities and studies, and to complete arrangements for the Annual Conference in Los Angeles from June 21 to 27, 1953.

A summary of the proceedings was prepared by members of the Chicago Library Club and issued in mimeographed form shortly after the meeting. The same method will be used for the proceedings of the Los Angeles Conference.

The Executive Board met with representatives of the divisions. Discussion was limited to the topic of financial relationships of the divisions with the American Library Association. It was found that the financial problem cannot be separated from the larger problem of general relationships between the divisions and the parent organization, and between the various divisions. In accordance with the request of the executive secretaries of the divisions, the Council established a Committee on Divisional Relations. Its functions are: "(1) to study the relations of A.L.A. and its divisions as a whole and of

the divisions to each other, to the end that the Association will be strengthened. (2) To report to the Council at least once a year and to recommend appropriate action including constitution and bylaw provisions." Members will consist of one representative from each division, with the immediate past president of A.L.A. serving as an ex-officio member without vote. The matter of multiple division memberships was discussed. It was thought undesirable to designate divisions as first, second or third choice of interest and support, on the basis that there should be no "second-class" memberships in the divisions.

Another meeting which may be of interest to our Association, was that of the Library Periodicals Round Table. It has been organized to provide a means for the exchange of ideas for business managers and editors of library periodicals, now numbering 234. Membership is limited to members of editorial and business staffs of library periodicals.

The Council acted on recommendations of the Committee on Constitution and Bylaws, chaired by Mr. William R. Roalfe and including Mr. Harry Bitner and Dr. Werner B. Ellinger among its members.

The 1954 midwinter meeting will be held at the Morrison Hotel in Chicago from January 31 to February 6, 1954. The 1954 Annual Conference will meet in Minneapolis.

On behalf of the American Library Association, Mr. David H. Clift, Executive Secretary, has kindly presented to the American Association of Law Libraries a copy of the ALA Membership Directory. This will assist our President in appointing a Councilor to replace your Representative whose term is expiring, and to appoint members of any committees which may be established to consider mutual problems, as well as to answer requests for suggestions of A.L.A. members from our organization to serve as members of A.L.A. committees or nominees for A.L.A. offices.

A comparison of the names in this Directory with names in the directory of the American Association of Law Libraries indicates that 16 to 17 percent of the members of the American Association of Law Libraries are also members of the American Library Association. The count which excludes life and associate members of our group, was 77 to 465. It is not exact because the official listings of both organizations are kept in card files which cannot be compared without much inconvenience.

It may be of interest to note that 24 persons listed in Law Libraries in the United States and Canada—1952 who are not members of the American Association of Law Libraries, are members of the American Library Association. They represent twenty libraries. Ten of these libraries have other members on their staffs who do hold membership in the American Association of Law Libraries.

Respectfully submitted, Jean Ashman

## REPORT OF THE REPRESENTATIVE OF A.A.L.L. ON JOINT COMMITTEES OF A.L.A.: COMMITTEE ON UNION LIST OF SERIALS

The main development of the past year in the field of serials control already is well known to large libraries and should be welcomed by all. Effective wth the January, 1953 issue, the Library of Congress' New Serial Titles, replacing its Serial Titles Newly Received, has been expanded to include reports from other libraries of serials new to their collections and which have not previously been listed in the Union List of Serials or supplements thereto.

Monthly numbers of New Serial Titles are to be cumulated semi-annually and annually. Library holdings will be shown. In short, New Serial Titles is the long-awaited current supplement to the Union List of Serials (2d edition) and marks the first step toward a continuously maintained and supplemented national union catalog of serials.

Subscription information (\$40 annually

for monthly and cumulated issues; \$25 for annual volume only) as well as full details regarding the Method of reporting serials for inclusion in New Serial Titles are given in the March 30, 1953 announcements distributed by the Library of Congress. As soon as widespread reporting is under way, law librarians will find the scope of New Serial Titles much broader than previous serials lists. Specifically, the following types of materials omitted from the 2d edition of the Union List of Serials, are to be covered in New Serial Titles: law reports and digests; administrative reports; international congresses and conferences; government publications, both domestic and foreign (United States federal and state government serials will be listed simply on the basis of Library of Congress receipts without holdings, owing to widespread distribution in depository libraries).

All libraries with extensive serial collections-and especially those previously recorded in the Union List of Serials, 2d edition-are urged by the Library of Congress and by the Joint Committee to participate in this expanded program. Periodic reporting as a part of cataloging routines, and from the definite starting date (January 1, 1953), eventually should eliminate the former time-consuming checks of entire holdings. Once the third edition of the Union List of Serials has been published from a punched card catalog based primarily on all entries and references in existing serials lists and supplements (with information concerning holdings brought down to December 31, 1952) and with expansion to include libraries and titles heretofore omitted, it is believed that coverage of the serials field will be much more comprehensive, efficient and continuous. The current supplement-New Serial Titlesmeanwhile is being published for use in advance of the third edition. A sub-committee of the Joint Committee currently is exploring all avenues of financing the national union catalog from which the third edition is to be edited and published. Regardless of how far or fast this part of the program develops, prompter

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and more comprehensive coverage of current serials already is assured, full attainment depending merely upon the extent of professional support. Since law libraries are among those which stand to gain most from the expanded scope of New Serial Titles, it is the writer's belief that they have a strong inducement to begin participation at once, reporting new titles periodically at their convenience—if possible on the forms available from Library of Congress; if not, by means of carbons of their own processing slips.

It perhaps should be stressed that only new serial titles received by the library after January 1, 1953 are involved in the project at this stage. Reports are made in the standard summary form employed in *Union List of Serials*, with the dash (—) used to indicate continuing subscriptions. "Report changed holdings only if your library ceases to receive a serial formerly reported and marked with a dash (—)."

The great research libraries necessarily carry the heaviest burdens in an enterprise of this sort. But they cannot do the full job alone-and in the writer's view ought not to be expected to do so. Comprehensive coverage of local materials and of subject fields obviously demands widespread cooperation. So, too, does equalization of the interlibrary loan burden. Effective "regionalization" of library resources and the evolution of Farmington-type controls alike presume-indeed, seem to me to require-prompt knowledge of new serials and of what other libraries are doing for their control. This is especially true of the "minor and borderline" items-which, as someone has said, are "minor and borderline only until we ourselves, or our patrons, have need of them!" Thus, if small and medium-size libraries expect aid on their interlibrary loans, as well as photostat and microfilm service, it seems only fair, in return, that they help "police" the immense serials field and do what they can to establish improved control over it.

> Respectfully submitted, Howard Jay Graham

#### REPORT OF THE REPRESENTA-TIVE OF A.A.L.L. ON AMERICAN STANDARD ASSOCIATION'S COMMITTEE Z39 ON LIBRARY WORK AND DOCUMENTATION

Since May 9, 1952 no meeting of this Committee has been held. There has been little activity and consequently there is nothing of interest to report.

I do not believe that any action need be taken. If in time, we see that the Committee is not active, it might be wise to discontinue the representation of the Association.

> Respectfully submitted, Harry Bitner

# REPORT OF THE REPRESENTATIVE OF A.A.L.L. ON COUNCIL OF NATIONAL LIBRARY ASSOCIATIONS JOINT COMMITTEE ON EDUCATION FOR LIBRARIANSHIP

Your Representative attended the Ninth Meeting of the Joint Committee held at the Library of Congress on October 24 and 25, 1952 and its Tenth Meeting held at the University of Chicago on April 3 and 4, 1953. The following problems were considered at these meetings.

#### PLACEMENT

The Joint Committee has offered its cooperation in the possible development of a national placement service for librarians to a subcommittee of the American Library Association, working under the Board of Personnel Administration for this purpose.

## EDUCATION FOR SPECIAL LIBRAR-IANSHIP

Considering the proposal of the New York Chapter of the Special Libraries Association to train special librarians, the multiplication of so-called library service courses was discussed. As these courses are without professional grading and do a disservice both to the student and the ultimate employer by misrepresenting such

instruction as adequate training for professional librarianship, it was the sense of the Committee that they are becoming a serious problem to library schools and particularly to the library profession, because these persons are represented as trained librarians. It was recognized that state agencies offer, recognize and sponsor such courses, e.g., for teacher-librarians in summer terms. Another regrettable feature is that the student tends to consider this as training for librarianship and the employer is often unable to discriminate between adequate and inadequate training. It was agreed that the American Library Association's Board of Education for Librarianship was the agency which should be responsible for such grading and that a letter be addressed to this Board and other appropriate bodies to the effect that the Joint Committee invites serious consideration to the following: (1) that nearly 200 schools, colleges and universities offer courses, programs and degrees unaccredited by the Board of Education for Librarianship; (2) that enrollment in such unaccredited courses seriously affects enrollment in accredited institutions which are now operating well below their enrollment capacity; (3) that there exists a need for an immediate program to orient employers of librarians, state evaluating and certifying bodies and state and regional associations to the differences between accredited and nonaccredited training, and to urge them to institute and maintain the highest possible standards in evaluating the professional training of individuals and the curricula of institutions for library training. It was stated that comment on such library instruction is not meant to apply to library schools organized since the accreditation program has not been active, and which meet the standards of professional librarianship. In addition, the President of the Special Libraries Association was advised of the concern of the Joint Committee and for a clarification of its proposed program. In reply, Miss Elizabeth Ferguson, President of the Special Libraries Association, pointed to the difficulty in finding good people to fill positions at all levels and in defining the terms special librarian and library subject specialist.

The Joint Committee also appointed a subcommittee for the preparation of a program for the education of the American people as to what libraries are and what a librarian is, for the reason that without such understanding the library profession cannot expect effective recruitment and intellectual or financial support.

#### SUBCOMMITTEE ON EDUCATION FOR SPECIAL LIBRARIANSHIP

This subcommittee, of which your Representative is a member, decided that the authors of the seven reports on education for special librarianship (Finance, Journalism, Law, Medical, Music, Science and Technology, Theatre) should take into account the criticism and comments addressed to their reports and revise them accordingly. After editing by Mr. Melvin Voigt, Assistant Librarian of the University of California, the final reports will be submitted to the Library Quarterly for publication; if so published, reprints would be made available for a modest charge. If not published by the Library Quarterly, the reports may be published by the Joint Committee under the financial sponsorship of a foundation.

## ACCREDITATION OF LIBRARY SCHOOLS

The National Commission on Accrediting, representing more than a majority of the several college and university associations, has advised the American Library Association's Board of Education for Librarianship that the Board will not be recognized as an accrediting body after January, 1954 and that thereafter the Commission will be responsible for such accreditation. Apparently this has resulted from a study of accrediting agencies conducted by the National Association of State Universities and others who have become concerned over the "rapid increase and the number and variety of organizations which have undertaken to

standardize procedures and policies in one or another branch of higher education." The Joint Committee has become disturbed by this development which might affect the Standards for Education for Librarianship which were carefully worked out by the Board of Education for Librarianship for the evaluation and accreditation of library schools. The Joint Committee in the past has called to the attention of the Board of Education for Librarianship that since the accrediting program of the Board was suspended in 1948, the whole status of education for librarianship began to become chaotic and the terms trained librarian and graduate of an accredited library school have lost significance. In a recent letter to Mr. Jack Dalton, Chairman of the Board of Education for Librarianship, the Chairman of the Joint Committee restated this position and made practical suggestions.

It is interesting to note that the six organizations which, together with the American Library Association were directed to cease accrediting activities, represented fields where either national standards for professional training were weak or where they exist for good reason at the state level. These were the American Association of Collegiate Schools of Business, American Chemical Society, Society of American Foresters, American Council on Social Work Education, American Council on Education for Journalism, and American Association of Colleges for Teacher Education. It is even more dismaying to note that the organizations excepted from the directive represented professions known for high standards of their professional training and their strong accrediting activities. They include the American Public Health Association, Association of American Law Schools, Association of American Medical Colleges, American Psychological Association, National Architectural Accrediting Board, American Dental Association, Engineers' Council for Profes-Development, American Association, National Nursing Accrediting Service, American Medical Association,

American Council on Pharmaceutical Education, and American Veterinary Medical Association.

In its meeting on January 24, 1953 the Executive Committee of the National Commission on Accrediting drew up a policy statement which modifies its former position. In reply, the Board of Education for Librarianship announced its position on February 3, 1953, as follows:

The Board of Education for Librarianship is charged by the American Library Association with responsibility for the promotion and development of education for librarianship. Formulating for the approval of Council minimum standards for library schools is one of its principal duties, and publishing annually a list of accredited library schools is one of its prescribed functions.

Its accrediting program is currently concerned exclusively with the graduate professional curricula of library schools. The Board of Education for Librarianship has always been willing to cooperate and will continue to cooperate with any agency or group of agencies recognized by the institutions with which it deals in seeking more effective means of improving graduate professional education. It shares with every institution of higher education a desire to simplify procedures and to achieve its ends with the greatest economy of effort.

It is pleased that the National Commission on Accrediting has recognized that there are "variations in the degree to which the several Regional Associations are prepared to assume immediately the full burden of responsibility for over-all accreditation of institutions," and it accepts the opportunity to work experimentally with these associations. During this experimental period, the Board of Education for Librarianship will continue to establish, maintain, and apply its own standards and to publish regularly a list of library schools accredited under these standards.

The Board of Education for Librarianship advised the Joint Committee that it is working out agreements with regional professional accrediting associations for a joint questionnaire and a combined visit of an institution by visiting teams of all interested associations. Under this arrangement it will be possible for a University to be approved as a whole by the regional association and its library school turned down on accreditation by the Board of Education for Librarianship. The whole situation is in a state of flux. Only time will tell how well it works out.

#### NEW OFFICERS

The following persons were approved for officers during the coming year: Mrs. Eileen R. Cunningham, Chairman; Jack Dalton, Vice-chairman; Mrs. Irene Strieby, Executive Committee member.

Respectfully submitted, Julius J. Marke

#### REPORT OF CAROLINA LAW LIBRARY ASSOCIATION

The Carolinas Chapter of the American Association of Law Libraries met at the Law School of the University of North Carolina on December 12, 1952. In the absence of the President, Miss Ruth Corry, Miss Lucile Elliott of the University of North Carolina conducted the meeting. Dean Henry Brandis of the University of North Carolina Law School welcomed the members of the Chapter and spoke informally on law school and law library cooperation on a regional basis. A discussion of alternative plans for such cooperation in the Southeastern area followed and it was decided to investigate the possibility of dual affiliation of the group with the American Association of Law Libraries and the Association of American Law Schools.

An announcement was made that the Association of American Law School's Southeastern regional meeting will be held in Chapel Hill and Durham, N.C., from September 9 through 11, 1953, with the Duke University Law School, Wake Forest College Law School, and the University of North Carolina Law School as joint hosts. The Chapter decided to hold its regular fall meeting on those dates and to invite law librarians from the Southeastern area to meet with it at that time.

A committee composed of Miss Katharine Day, Chairman, of the Duke University Library, Miss Mary Oliver and Miss Lucile Elliott of the University of North Carolina, and Mrs. Margaret Shoemaker of Wake Forest was appointed to formulate plans for the fall meeting. This committee has met and is working on the necessary arrangements.

Miss Mary W. Oliver, Assistant Librarian, University of North Carolina, was elected President and Mrs. Margaret V. Shoemaker, Librarian, Wake Forest College Law School, was elected Secretary-Treasurer.

The spring meeting of the Chapter will be held May 1 at Duke University Law School, Durham, N.C., at which time the program will be more fully developed.

Mary W. Oliver, President

#### REPORT OF CHICAGO ASSO-CIATION OF LAW LIBRARIES

The Chicago Association of Law Libraries has held three luncheon meetings to date. Each one was well attended and proved to be especially interesting. According to custom, the first meeting in the fall was devoted to business and reports of the Toronto meetings. The guest speaker at the winter meeting, held on January 23, was Miss Margaret Egan, Assistant Professor in the University of Chicago Graduate Library School. Her address was entitled Education for Special Librarianship with Emphasis on Law Librarianship.

Professor Philip B. Kurland, of Northwestern University Law School, was the guest speaker at the meeting held on March 24, 1953. Professor Kurland spoke on the subject of *The Lawyer and the Librarian*. He told, in some detail, of the substantial aid librarians give to legal research and, in closing, pointed out the threat of censorship of the press to libraries and academic freedom.

At the kind invitation of Dean Noble W. Lee, of John Marshall Law School, we were invited to hold our annual dinner meeting on May 22, 1953 at the School and enjoy a tour of its Library.

The Chicago Association, this year, sponsored its first Workshop in Law Library Problems. It was conducted at Northwestern University's Chicago Campus on October 24 and 25, 1952. Father Burke, Librarian of De Paul University, served as Chairman of the Steering Committee, assisted by Miss Elizabeth Holt, Librarian of the University of Nebraska Law School Library, and Mr. William D. Murphy, Librarian of Kirkland, Fleming, Green, Martin and Ellis. Details concerning the purpose of the Workshop and the program appeared in the February, 1953 issue of the Law Library Journal. Copies of the compiled proceedings of the Workshop are still available for a handling charge of 25 cents. Requests for such copies may be addressed to Miss Dorothy Scarborough, Secretary, Chicago Association of Law Libraries, 357 East Chicago Avenue, Chicago

11, Illinois. Sixty-one persons registered for the Workshop, representing not only the Chicago area, but downstate Illinois, the states of Indiana, Iowa, Michigan, Minnesota, Nebraska and Wisconsin. It has been a pleasure to receive some twelve letters since, from those who attended, expressing their satisfaction with the Workshop. We, of the Chicago Chapter, are much encouraged by the success of this, our first venture in providing what many of our members consider, was a long felt need, namely, an opportunity for the law librarians in the area around Chicago to discuss their mutual problems as a group. For this reason, a Steering Committee for a second workshop to be held in October at the University of Chicago, has been appointed and is at work on plans. Mr. William R. Roalfe, of Northwestern University Law School Library, is Chairman of this Committee. He is being assisted by Mr. Frank DiCanio, of the Chicago Law Institute, and Miss Elizabeth V. Benyon, of the University of Chicago Law Library.

The various committees have been active this year. The Membership Committee presented fifteen new persons for membership. This makes a total now of fifty-three members. The Committee on Publications prepared two issues of the Chicago Law Library Bulletin. A special committee is now at work investigating the possibility of having an editor to arrange for a regular publication by the Association with more frequency than in the past. This committee will report at the next meeting.

The Committee on Cooperation between the Four Major Libraries continued to engage in the project of checking the holdings of each library by bringing up-to-date the previously checked lists. The members of this Committee feel that the time has come for the preparation of a statement describing the special holdings of each of the law libraries in the Chicago area, to serve as a guide to the legal sources of this area. They, therefore, hope to be able to prepare such a statement in the near future. It will be in a form that can easily be reproduced and distributed to all libraries.

The officers for the year are: Miss Elizabeth V. Benyon, President; Miss Jean Ashman, Vice-President; Miss Dorothy Scarborough, Secretary-Treasurer. Miss Elaine Teigler and Mr. Frank E. Kolak are members of the Executive Board.

Respectfully submitted, Elizabeth V. Benyon, President

#### REPORT OF LAW LIBRARIANS OF NEW ENGLAND

The fifth year of the existence of the New England Law Librarians has, we feel, ushered in a period of closer association and cooperation. The members have shown a keen appreciation of the need in the library profession of working together in the promotion and exchange of ideas and information without which such an organization as ours can have little constructive meaning.

We attempted during the past year to develop this idea when planning the winter meeting on January 30, 1953. Since our group represents law school libraries as well as state, bar and county libraries a panel discussion program was arranged to discuss matters common to all law libraries. A very able panel made up of Miss Eunice Beeson, U.S. Court of Appeals Library (1st Circuit), Miss Edith Hary, Maine State Library, Miss Margreta Hughes, Northwestern University Law Library, Mr. Howard Stebbins, Social Law Library discussed such subjects as book acquisition, how made, what criteria used (other than the ever present budget problem), how is choice influenced by the type of library, cataloging practices generally, etc. As the second part of the discussion the panel expressed their views on the need for and the adaptability of existing schemes of classification in law libraries. The members in attendance were agreed that it was a most informative and worthwhile meeting.

Our annual meeting for the year 1952-53 is tentatively scheduled for Saturday, May 23, 1953 and through the gracious invitation of Miss Grace Gainley, Librarian of the Hampden County Law Library, it will be held in Springfield, Massachusetts. Miss Gainley has also agreed to secure a speaker for this meeting from among the distinguished members of the Hampden County bar. Following the business, meeting the speaker of the evening will address the group on the general subject of the relationship of the law library to the bench and bar.

The Law Librarians of New England as a group feel that a good deal of constructive work has yet to be done particularly when we read in the Law Library Journal of the very ambitious institute projects which have been undertaken by our sister chapters. Such a program must inevitably result in a good deal of credit to the individual chapters and in the process blaze a trail which the other chapters may follow to develop and increase the usefulness of the law library.

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## REPORT OF LAW LIBRARIANS' SOCIETY OF WASHINGTON, D.C.

At the annual meeting of the Society on May 21, 1952, the following officers and directors were elected and installed for the year 1952-53: Miss Lois G. Moore, Librarian, Tax Court of the United States, President; Mr. Lawrence Keitt, Law Librarian, Library of Congress, Vice-President; Miss Bertha Rothe, Librarian, Housing and Home Finance Agency, Secretary; Miss Miriam C. Vance, Librarian, National Fertilizer Association, Treasurer. The following were elected to the Board of Directors: Mrs. Rebecca Notz, Legislative Reference Service, Library of Congress; Miss Elizabeth Finley, Librarian, Covington and Burling; Mr. Francis X. Dwyer, Assistant Law Librarian, Library of Congress; and Miss Lillian McLaurin, Librarian, Office of Judge Advocate General, Department of the Navy.

#### **MEETINGS**

The Society opened its 1952-53 year on September 13, 1952, with a garden tea at the Arts Club of Washington, to introduce new members and to hear of the summer activities of old friends. There was no formal program. Tea and coffee were served at a beautifully appointed table at the end of the garden.

The custom of holding informal dinner meetings was resumed with the meeting on November 13, held at the Club House of the American Association of University Women. Mr. Vince Wasilewski, chief of staff to Judge Justin Miller of the National Association of Radio and Television Broadcasters, spoke on Televising Public Hearings, after which there was an informal question and answer session.

Judge Joseph Jackson, recently retired from the Court of Customs and Patent Appeals, furnished the program at the meeting held on January 21, 1953. Judge Jackson outlined the jurisdiction and scope of the Court of Customs and Patent Appeals, touching also on the work of the United States Customs Service.

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At the meeting held on March 18, Judge Justin Miller, Chairman of the Board of Directors and General Counsel of the National Association of Radio and Television Broadcasters, spoke to the Society on the work of the International Information Service, of which Voice of America is a part. Judge Miller, as a member of the United States Advisory Commission on Information,

was able to give an insider's view of the faults and virtues of this activity, which has received so much notice in recent months. Judge Miller had spent that afternoon testifying before a Congressional committee on this subject so that the program was particularly timely. The informal discussion which followed was participated in by several members of the Foreign Law Section of the Library of Congress.

The annual meeting of the Society will be held on May 20, 1953, at the Club House of the American Association of University Women. Final reports of committees will be submitted at this time and the officers and directors for the coming year will be elected and installed. We have been fortunate to secure as our guest for this meeting Dr. Durward V. Sandifer, since 1949 Deputy Assistant Secretary of State for United Nations Affairs, who will speak on his work with the Office of the Legal Advisor, which assists the Secretary of State in the formulation, determination and implementation of United States foreign policy.

## COMMITTEE ACTIVITIES Membership

For the period from May 20, 1952 through March 30, 1953, fifteen new members have been added to the membership roll of the Society. It is probable that additions will be made by the end of the fiscal-year.

Mary Virginia Wenzel, Chairman.

#### Yearbook

The Yearbook Committee is engaged in the revision of the Directory of Members of the Society, necessitated by the addition of many new members since the last revision, the change in practically all Washington telephone numbers by the telephone company, and by the many changes in positions brought about by abolition of some Government agencies and realignment of others. The work will not be completed until some time in the next year.

Kathryn White Harron, Chairman.

#### Legislative Histories

No supplement has been issued to the Union List of Legislative Histories, prepared under the auspices of the Society, but the records are being maintained so that a supplement can be issued when it seems advisable to do so. A few sales have been made during the year.

Rebecca Fowler, Chairman.

#### Library Position Classification

The Committee has made a survey of the Government law libraries in the District of Columbia with a view to presenting to the Civil Service Commission a plan for a more even grade spread in these libraries than has been set up under the present Civil Service regulations.

The Committee also is working on a comparison of these grades with the grades in general libraries for the purpose of learning of any discrepancies which may exist between the two types of libraries in the grading of the various positions.

The project is still active and we expect to make further reports as the work progresses.

Miriam C. Vance, Chairman.

#### Law Library Science

The Committee, consisting of Miss Elizabeth Finley, Miss Marie Drolet, Mr. Walter Zeydel, Mr. Francis Dwyer and Miss Anne Jensen, met four times during the year.

They resumed the work which had been so very ably begun by Miss Lillian McLaurin's committee of the previous years. Negotiations were resumed with the Library School of Catholic University with a view to instituting a course which would enable workers in law libraries in this vicinity to get a working knowledge of the materials and processes involved in such a position. Much progress seems to have been made at the latest meeting which was held at Catholic University Library School with Father Kortendick, Director of the School. Dr. Miles O. Price of Columbia University, and Mrs. Rebecca Notz, of the Washington College of Law, affiliated with American University, were present. Since Dr. Price gives a course during the summer session of Columbia University which seems to meet the requirements, the discussion seemed to point favorably to a similar course being given at the Catholic University Library School. The matter is still in a very early planning state, however, and no definite announcement can be made as yet. Dr. Price gave us a very helpful discussion of the manner and subject of his course. It is hoped that we may be able to put many of his suggestions into practice here.

Anne Jenses, Chairman.

The Society has had a very satisfactory year. All committees have been doing splendid work, and while none of the projects has been completed, all are things which take several years to bring to a satisfactory conclusion. The Arrangements Committee is due

a special vote of thanks; for, to it falls the thankless task of arranging for a meeting place, selecting the menu, and persuading members to send in their reservations in time for the deadline. The attendance at our meetings has been most gratifying, about 55 persons being present at our last two meetings. The Society, too, ends its year in a more than solvent condition.

Respectfully submitted, Lois G. Moore, President

#### REPORT OF LAW LIBRARY ASSOCIATION OF GREATER NEW YORK

The most important project for the report year has been the assembling of membership data and the effort to bring the entire membership list in the New York area to current accuracy preliminary to printing a new list. This has taken a great deal of time and effort, mostly by Mr. Eugene Wypyski. At the same time, this project is also a membership drive.

We have had stimulating and well attended meetings. Our entertainment chairman, Mr. Arthur Charpentier, of the Association of the Bar of the City of New York, arranged for valuable and unusual talks on fields related to law. We have heard Professor A. A. Schiller on the work of the construction of a Constitution for the State of Eritrea; Richard Haydock on Lawyer Referral Services in this area; Professor Morris Ploscowe on the work of the Committee on Organized Crime of the American Bar Association; and Miss Rosalie Bailey on the subject of Genealogy and the Law.

The slate of officers for 1953-54 follows: Mr. William C. Taylor, Librarian, Shearman, Sterling & Wright, President; Mr. Vincent E. Fiordalisi, Librarian, Rutgers University Law Library, Vice-President; Mrs. Meira G. Pimsleur, Columbia University Law Library, Secretary; Mr. Eugene M. Wypyski. New York County Lawyers' Association, Treasurer. Of the following six, three will be elected as Directors at the June meeting: Miss Mary Nolan, Metropolitan Life Insurance Company: Mr. Arthur A. Charpentier, Association of the Bar of the City of New York; Miss Catherine Stonaker, Essex County Bar Association; Mr. Lionel Coen, New York Law Institute; Mrs. Florence Zagayke, Columbia University Law Library; Miss Eileen Murphy, St. John's University Law Library.

> Respectfully submitted, Harry Bitner, President